

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES**NO. 844****17 AUGUST 2018****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT NO. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF ROLE-
PLAYERS IN THE RED MEAT INDUSTRY**

I, Senzeni Zokwana, Minister of Agriculture, Forestry & Fisheries, acting under sections 10, 13, 14 and 19 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), as amended, hereby establish the statutory measure set out in the attached Schedule.

SENZENI ZOKWANA
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 –

“designated animals” for purposes of this notice, means cattle, sheep and goats;

“levy notice” means any notice whereby a levy is imposed on designated animals, red meat, red meat products, processed pork and hides and skins in terms of the Act;

“Levy Administrator” means Meat Statutory Measure Services, the juristic person entrusted with the implementation, administration and enforcement of the statutory measure established in this notice;

“red meat” means any carcass or any part of a slaughtered and skinned designated animal, fresh or frozen which has not undergone any processing other than deboning, portioning, dicing, mincing, cooling or freezing;

“red meat products” means any product derived from the processing of red meat, with or without the addition of other meat or food products; and

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

2. Purpose and aim of the statutory measure and the relation thereof to the objectives of the Act

The purpose and aim of this statutory measure is to compel the parties set out herein to register with the Levy Administrator. This is necessary to ensure that continuous, timeous and accurate information relating to designated animals slaughtered and their products are available to all role-players. Market information is deemed essential to all role-players in order for them to make informed decisions.

The establishment of this statutory measure should assist in promoting the efficiency of the marketing of red meat. The viability and efficiency of the red meat industry should thus be enhanced.

The statutory measure is not detrimental to any of the objectives of the Act, and in particular will not be detrimental to the number of employment opportunities or on fair labour practice in the red meat industry.

This statutory measure will be administered by the Levy Administrator, who will act in terms of the mandate and on behalf of the red meat industry through its representative structure, namely the Red Meat Industry Forum.

3. Products to which this statutory measure applies

This statutory measure shall apply to all –

- (a) designated animals purchased or sold;
- (b) red meat and red meat products from designated animals, hides and skins from designated animals processed within the boundaries of the Republic of South Africa;
- (c) unprocessed hides and skins from designated animals exported from the Republic of South Africa;
- (d) red meat and red meat products (excluding hides and skins) imported into the Republic of South Africa;
- (e) designated animals exported live from the Republic of South Africa; and
- (f) processed pork.

4. Area in which the measure shall apply

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

5. Registration and the enforcement thereof

Any person referred to in sections 5 (1), 5 (2) and 5 (3) of the levy notice, with the exception of persons referred to in sections 5 (1) (a) and 5 (2) (a), shall on an annual basis register or re-register with the Levy Administrator.

- 5.1 Registration shall be done immediately upon receipt of a registration form obtainable free of charge for this purpose from the Levy Administrator, and must -

- (a) be submitted, when forwarded by post, to-

Meat Statutory Measure Services
P O Box 36802
Menlo Park
Pretoria
0102

- (b) when sent by telefax, be addressed to-

012 361 2382

- 5.2 The implementation, administration and enforcement of the statutory measure established in this notice are entrusted to Meat Statutory Measure Services, a non-profit company as contemplated in the Companies Act, 2008 (Act No. 71 of 2008).

6. Commencement and period of validity

This statutory measure shall come into operation on 5 November 2018 and will lapse after an extension period of two years. The lapsing of the statutory measure shall not -

- (a) Affect the previous operation of the statutory measure so lapsed or anything duly done or suffered under the statutory measure so lapsed; or
- (b) Affect any right, privilege, obligation or liability acquired, accrued or incurred under the statutory measure so lapsed; or
- (c) Affect any penalty, forfeiture or punishment incurred in respect of any offence committed against the statutory measure so lapsed; or
- (d) Affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, forfeiture or punishment as acquired, accrued or incurred in terms of the statutory measure so lapsed, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the statutory measure had not lapsed.

DEPARTEMENT VAN LANDBOU, BOSBOU EN VISSERYE**NO. 844****17 AUGUSTUS 2018****WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996****(WET Nr. 47 VAN 1996)****INSTELLING VAN STATUTÊRE MAATREËL: REGISTRASIE VAN ROLSPELERS
IN DIE ROOIVLEISBEDRYF**

Ek, Senzeni Zokwana, Minister van Landbou, Bosbou en Visserye, handelende kragtens artikels 10, 13, 14 en 19 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet Nr. 47 van 1996), soos gewysig, stel hiermee die statutêre maatreël in soos in die Bylaag hierby aangeheg, uiteengesit is.

SENZENI ZOKWANA
MINISTER VAN LANDBOU, BOSBOU EN VISSERYE.

BYLAAG

1. Woordomskrywing

In hierdie Bylaag het enige woord of uitdrukking waaraan 'n betekenis volgens die Wet toegeken is, daardie betekenis tensy die konteks anders bepaal, en beteken—

“aangewese dier” vir die doel van hierdie kennisgewing verwys na beeste, skape en bokke;

“die Wet” verwys na die Wet op die Bemaking van Landbouprodukte, 1996 (Wet nr. 47 van 1996) soos gewysig;

“Heffingsadministrateur” verwys na Meat Statutory Measure Services, die regspersoon wat toevertrou is met die implementering, administrasie en toepassing van die statutêre maatreël gevestig in hierdie kennisgewing;

“heffingskennisgewing” verwys na enige kennisgewing waarvolgens 'n heffing op 'n aangewese dier, rooivleis, rooivleisprodukte, geprosesseerde varkvleis, huide en velle in terme van die Wet ingestel word;

“rooivleis” beteken enige karkas of enige gedeelte van 'n geslagte en afgeslagde aangewese dier, vars of bevrore, wat nie prosessering andersins as ontbening, versnippering, verdeling, maal, verkoeling of bevvriesing ondergaan het nie; en

“rooivleisprodukte” beteken enige produkte wat ontstaan as gevolg van die prosessering van rooivleis met of sonder die byvoeging van ander vleis- of voedselprodukte.

2. Doel en oogmerk van die statutêre maatreël en die verwantskap met die doelwitte van die Wet

Die doel en oogmerke van hierdie statutêre maatreël is om die partye hierin uiteengesit te noop om by die Heffingsadministrateur te registreer. Dit is om te verseker dat aaneenlopende, tydige en akkurate inligting rakende geslagte aangewese diere en hul produkte aan alle rolspelers beskikbaar is. Markinligting is noodsaaklik vir alle rolspelers om ingeligte keuses te kan uitoefen.

Die daarstelling van hierdie statutêre maatreël moet help om die effektiwiteit van die rooivleisbemarking te bevorder. Die lewensvatbaarheid en doeltreffendheid van die rooivleisbedryf behoort dus verhoog te word.

Hierdie statutêre maatreël is nie nadelig vir enige van die doelwitte van die Wet nie en sal, in besonder, nie nadelig vir die aantal werksgeleenthede of op regverdige arbeidspraktyk in die rooivleisbedryf wees nie.

Die statutêre maatreël sal deur die Heffingsadministrateur volgens die mandaat en namens die rooivleisbedryf deur middel van die verteenwoordigende liggaam, die Rooivleisbedryfsforum, geadministreer word.

3. Produkte waarop die statutêre maatreël van toepassing is

Hierdie statutêre maatreël sal van toepassing wees op alle -

- (a) aangewese diere wat gekoop of verkoop is;
- (b) rooivleis en rooivleisprodukte van aangewese diere, huide en velle van die aangewese diere wat binne die grense van die Republiek van Suid-Afrika geprosesseer word;
- (c) ongeprosesseerde huie en velle van die aangewese diere wat van die Republiek van Suid-Afrika uitgevoer word;
- (d) rooivleis en rooivleisprodukte (uitgesluit huide en velle) wat ingevoer word na die Republiek van Suid-Afrika;
- (e) aangewese diere wat uitgevoer word van die Republiek van Suid-Afrika; en
- (f) geprosesseerde varkvleis.

4. Gebied waarin die statutêre maatreël van toepassing is

Hierdie statutêre maatreël sal binne die geografiese grense van die Republiek van Suid-Afrika van toepassing wees.

5. Registrasie en die toepassing daarvan

Enige persoon waarna in artikels 5(1), 5(2) en 5(3) van die heffingskennisgewing verwys is, met die uitsondering van persone na wie in artikels 5 (1) (a), 5 (2) (a) verwys word, moet op 'n jaarlikse basis registreer of her-registreer by die Heffingsadministrateur.

- 5.1 Registrasie moet plaasvind sodra 'n registrasievorm, gratis verkrygbaar van die Heffingsadministrateur, ontvang word en moet -
(a) per pos gestuur word aan -

Meat Statutory Measure Services
Posbus 36802
Menlopark
Pretoria
0102

- (b) of per telefaks gestuur word aan -

012 361 2382

- 5.2 Die implementering, administrasie en toepassing van die statutêre maatreël gevestig in hierdie kennisgewing is toevertrou aan Meat Statutory Measure Services, 'n nie-winsgewende maatskappy soos uiteengesit in die Wet op Maatskappye, 2008 (Wet Nr. 71 van 2008).

6. Aanvang en geldigheidsydperk

Hierdie statutêre maatreël sal op 5 November 2018 in werking tree en sal na 'n verlengingsperiode van twee jaar verval. Die verval van die statutêre maatreël sal nie

- (a) Invloed hê op die vorige werking van die statutêre maatreël of op iets behoorlik gedoen of gelyk onder die statutêre maatreël nie; of
- (b) Enige reg, voorreg, verpligting of aanspreeklikheid hê, verkry, toeval of aangaan onder die statutêre maatreël soos verval nie; of
- (c) Enige boete, verbeurdverklaring of straf hê aangegaan ten opsigte van 'n misdryf gepleeg onder die statutêre maatreël soos verval nie; of
- (d) Enige ondersoek, regsgeding of regsmiddel ten opsigte van enige sodanige reg, voorreg, verpligting, aanspreeklikheid, verbeuring of straf hê, verkry, toeval of aangaan in terme van die statutêre maatreël soos verval, en so 'n ondersoek, regsgeding of middel mag ingestel, voortgesit of afgedwing word, en so 'n boete, verbeurdverklaring of straf kan opgelê kan word, asof die statutêre maatreël nie verval het nie.