

**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES****NO. R. 1651****13 DECEMBER 2019****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996  
(ACT NO 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF  
LEVIES ON POMEGRANATES AND POMEGRANATE PRODUCTS**

I, Angela Thoko Didiza, Minister for Agriculture, Land Reform and Rural Development, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996), hereby establish the statutory measure set out in the attached Schedule.

**Ms AT DIDIZA (MP)**

Minister of Agriculture, Land Reform and Rural Development.

## 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 –  
“**Exporter**” means a person who trade pomegranates for export for his own account, or acts as an agent on a commission basis on behalf of pomegranate producers;  
“**Importer**” means a person who imports pomegranates; and  
“**Pomegranate Producer**” means a producer of pomegranates intended for exports and/or domestic consumption.

A person who is a producer as well as an exporter, importer or processor must register as a producer and as an exporter, importer or processor.

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

2. The levy is needed by Pomegranate Association of South Africa (POMASA) to fund research projects; information and technology transfer; plant improvement functions and certification; market information and statistics; communication; trade and market access; and transformation and training in the pomegranate industry.

The measure will not be detrimental to the number of employment opportunities or fair labour practice and will support the statutory measures relating to registration and the rendering of returns applicable to pomegranates.

The measure will be administered by POMASA, a company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). POMASA will implement and administer the measure as set out in this Schedule.

### Products to which statutory measure applies

3. This statutory measure shall apply to all pomegranates destined for export as well as local market sales, regardless of the intention to offer it for sale as whole fruit or for processing purposes.

### Area in which measure shall apply

4. This measure shall apply in the geographical area of the Republic of South Africa.

### Imposition of levy

5. A levy is hereby imposed on pomegranates and pomegranate products.

**Amount of levy**

6. The amount of the levy shall be:

	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Fresh extra class and class 1 – export, import and all local sales	15c/kg	15c/kg	16c/kg	16c/kg
Processing class and class 2 – export, import and all local sales	9c/kg	9c/kg	10c/kg	10c/kg

**Persons by whom and to whom levy shall be payable**

7. (1) The levy imposed under clauses 5 and 6 shall –
- (a) Exports: be payable by a pomegranate exporter on behalf of the producer from which such pomegranates have been procured in respect of all pomegranates exported;
  - (b) Imports: be payable by the importer of all pomegranates imported; and
  - (c) Local sales: be payable by all local agents or processors (if purchased directly from producers of pomegranates) on behalf of the pomegranate producers.
- (2) A levy imposed under clauses 5 and 6 shall be payable to POMASA in accordance with clause 8.

**Payment of levy**

8. (1) Payment of the levy shall be made not later than sixty (60) days following the month end of delivery of a quantity of pomegranates for sale. Payment shall be made by means of a cheque or electronic transfer in favour of POMASA and shall –
- (a) when paid by cheque, be addressed to –  
POMASA  
PO Box 163  
PAARL  
7620
  - (b) when electronically transferred, be paid to the bank account obtainable from POMASA on request.

**Commencement and period of validity**

9. This statutory measure shall come into operation on the date of publication hereof and will lapse four years later.