

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT**NO. R. 1766****18 February 2022****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No 47 OF 1996)**

**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF
A DIFFERENTIATED AD HOC LEVY ON PLANTED FRUIT HECTARES FOR
FUNDING OF AN AREA WIDE BACTROCERA DORSALIS ERADICATION
PROGRAMME IN SPECIFIED PRODUCTION AREAS.**

I, Angela Thokozile Didiza, Minister for Agriculture, Land Reform and Rural Development, 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.

**ANGELA THOKOZILE DIDIZA
MINISTER FOR 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 –

“Differentiated levy” means a per hectare levy applicable to planted fruit hectares in specified production regions;

“Planted hectares” means the total plantings of a specific producer of agreed products benefitting from the area wide Bactrocera Dorsalis mitigation programme in specified production regions;

“Producer” means a person producing products on planted fruit hectares in specified production regions as agreed from time to time;

“Specified Production Regions” means defined areas where producers have approved the implementation of this measure on all planted hectares included in such region;

Purpose and aims of statutory measure and the relation thereof to the objectives of the Act

2. The statutory levy is needed by the Fruit Industry to collect the producers’ contribution for the Bactrocera Dorsalis eradication programmes in specified production regions as and when required. The levy will only be invoked when required as per agreed eradication protocols.

The measure will not be detrimental to the number of employment opportunities of fair labour practice and will support other statutory measures applicable in the fruit industry.

The measure will be utilised by FruitFly Africa (Pty) Ltd, an industry service entity established in terms of the Companies Act, 2008 (Act 71 of 2008 as amended). FruitFly Africa will administer and spend the collected funds on behalf of the producers in the specified production regions and will account and report separately thereon.

Products to which statutory measure applies.

3. This statutory measure shall apply to all planted fruit hectares in the specific production regions.

Areas in which measure shall apply

4. This measure shall apply to the specified fruit production regions as listed in this schedule.

Imposition of levy

5. A differentiated levy is hereby imposed on all planted fruit hectares in the specific production regions as listed in this schedule.

Amount of the levy

6. The amount of the ad-hoc levy on the planted hectares in the specified production regions shall not be more than R1,160/ha in year 1 with a 5% annual CPI adjustment in the subsequent years. The actual per hectare levy will depend on the size of the eradication area.

The costs do not include delimiting surveys as this part of the programme will continue to be funded using existing funds within the ongoing FruitFly Africa operational budget as agreed with DALRRD.

Area	R/ha 2022	R/ha 2023	R/ha 2024	R/ha 2025
Hex	1,160	1,218	1,279	1,343
De Wet	1,160	1,218	1,279	1,343
Brandwaght	1,160	1,218	1,279	1,343
Elgin Grabouw	1,160	1,218	1,279	1,343
Vyeboom	1,160	1,218	1,279	1,343
Hemel & Aarde	1,160	1,218	1,279	1,343
Warm Bokkeveld/Bo-Swaarmoed	1,160	1,218	1,279	1,343
Koue Bokkeveld	1,160	1,218	1,279	1,343
Agter Witzenberg	1,160	1,218	1,279	1,343
Wolseley	1,160	1,218	1,279	1,343
Tulbagh	1,160	1,218	1,279	1,343
Langkloof	1,160	1,218	1,279	1,343

Persons by whom and to whom levy shall be payable

7. (1) The levy imposed under clause 5 shall be payable by a fruit producer or his nominee on behalf of the producer.
 (2) A levy imposed under clause 5 shall be payable to FruitFly Africa in accordance with clause 8.

Payment of a differentiated levy

8. Payment of the levy shall be made by the producer or his nominee in the manner and according to the schedule as agreed on an annual basis with FruitFly Africa on condition that the differentiated levy will be paid full in any 12 month cycle.

Payment shall be made by means of a cheque or electronic transfer in favour of FruitFly Africa and shall:

- when paid by cheque, be addressed to –
FruitFly Africa

PO Box 163
PAARL
7620

- when electronically transferred, be paid to the bank account obtainable from FruitFly Africa on request.

Commencement and period of validity

9. This statutory levy shall come into operation on date of publication and will lapse on 31 December 2025.