

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 3099

3 March 2023

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996 (ACT NO. 47 OF 1996)**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF PROCESSORS,
PRODUCERS AND PERSONS DEALING IN LUCERNE SEED AND LUCERNE HAY**

I, Thoko Didiza, Minister of Agriculture, Land Reform and Rural Development, acting in terms of sections 13 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.



MRS 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 -

“**deal**” means the receiving, buying, importing, exporting and selling of lucerne seed or lucerne hay, whether for the account of the person thus dealing therein, or for the account of somebody else;

“**lucerne**” means lucerne seed or lucerne hay;

“**lucerne hay**” means hay produced from lucerne;

“**lucerne hay dealer**” means a person dealing in the course of business with lucerne hay;

“**lucerne hay processor**” means a person that processes lucerne hay;

“**lucerne producer**” means a person who produces lucerne seed, lucerne hay or both;

“**lucerne seed**” means any locally produced lucerne seed;

“**lucerne seed dealer**” means a person dealing in the course of business with lucerne seed;

“**process**” means any process or action whereby value is added to lucerne hay, whether such lucerne hay remains in its original form or not, and “processes” has a similar meaning; and

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

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

2. The purpose and aims of this statutory measure are to compel the parties set out herein to register with the National Lucerne Trust. This is necessary to ensure that continuous, timeous and accurate information relating to lucerne seed and lucerne hay is available to all role players. Market information is deemed essential for all role layers in order for them to make informed decisions.

The establishment of the measure should assist in promoting the efficiency of the marketing of lucerne seed and lucerne hay. The viability of the lucerne industry should thus be enhanced.

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

The measure will be administered by the National Lucerne Trust, who will act in terms of the mandate and on behalf of the lucerne industry.

Products to which statutory measure applies

3. This statutory measure shall apply to lucerne seed and lucerne hay.

Area in which measure shall apply

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

Registration of lucerne seed and lucerne hay dealers, processors and producers

5.(1) Any lucerne seed or lucerne hay dealer, lucerne hay processor or lucerne producer shall register with the National Lucerne Trust.

(2) Registration shall be done immediately upon receipt of a registration form obtainable free of charge for this purpose from the National Lucerne Trust, and must -

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

The Manager
National Lucerne Trust
P.O. Box 185
OUDTSHOORN
6620

(b) when delivered by hand, be delivered to -

The Manager
National Lucerne Trust
152 St John Street
OUDTSHOORN
6625

(c) when sent by email, be addressed to -

info@lusern.org

Commencement and period of validity

6. This statutory measure shall come into operation on the date of publication and shall lapse on 30 November 2026.

DEPARTEMENT VAN LANDBOU, GRONDHERVORMING EN LANDELIKE ONTWIKKELING

NO. R. 3099

3 Maart 2023

WET OP BEMARKING VAN LANDBOUPRODUKTE, 1996 (WET NO. 47 VAN 1996)**INSTELLING VAN STATUTÊRE MAATREËL: REGISTRASIE VAN VERWERKERS,
PRODUSENTE EN PERSONE WAT IN LUSERNSAAD EN LUSERNHOOI HANDEL
DRYF**

Ek, Thoko Didiza, Minister van Landbou, Grondhervorming en Landelike Ontwikkeling, handelende kragtens artikels 13 en 19 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996) soos gewysig, stel hiermee die statutêre maatreël in die aangehegte Bylae uiteengesit, in.

ME ANGELA THOKOZILE DIDIZA**MINISTER VAN LANDBOU, GRONDHERVORMING EN LANDELIKE ONTWIKKELING**

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken –

“handel dryf” ontvang, koop, invoer, uitvoer en verkoop van lusernseed of lusernhooi, vir die rekening van die persoon wat daarmee handel dryf of namens iemand anders daarmee handel;

“lusern” beteken lusernseed of lusernhooi;

“lusernhooi” die hooi van lusern geproduseer;

“lusernhooi handelaar” die persoon wat met lusernhooi handel dryf;

“lusernhooi verwerker” die persoon wat lusernhooi verwerk;

“lusern produsent” 'n persoon wie lusernseed en/of lusernhooi produseer ;

“lusernseed” die plaaslik geproduseerde lusernseed;

“lusernseed handelaar” die persoon wat met lusernseed handel dryf;

“verwerk” beteken enige proses of aksie waar waardetoevoeging by lusernhooi plaasvind, ongeag of sodanige lusernhooi in sy oorspronklike vorm bly of nie en “verwerking” het hier dieselfde betekenis; en

“die Wet” die Wet op Bemaking van Landbouprodukte, 1996 (Wet No.47 van 1996) soos gewysig.

Doel en oogmerke van statutêre maatreël en die verband daarvan met die oogmerke van die wet.

2. Die doel en oogmerke van hierdie statutêre maatreël is om die volgende partye te verplig om by die Nasionale Lusern Trust te registreer. Registrasie is nodig om te verseker dat deurlopende, tydig en akkurate inligting aangaande lusernseed en lusernhooi vir alle rolspelers beskikbaar gestel word. Markinligting word noodsaaklik geag vir alle rolspelers ten einde hulle in staat te stel om ingeligte besluite te kan neem.

Die instelling van hierdie statutêre maatreël sal help om die doeltreffendheid van die bemaking van lusernseed en lusernhooi te bevorder. Die lewensvatbaarheid van die lusernbedryf word sodoende bevorder.

Die maatreël sal nie nadelig wees vir enige van die doelwitte van die Wet, en in die besonder sal nie nadelig wees vir die aantal werkgeleenthede of billike arbeidspraktyk in die lusernbedryf nie.

Hierdie statutêre maatreël sal geadministreer word deur die Nasionale Lusern Trust wat sal handel in terme van sy mandaat en namens die lusern bedryf.

Produkte waarop statutêre maatreël van toepassing is

3. Hierdie maatreël is op lusernseed en lusernhooi van toepassing.

Gebied waarin statutêre maatreël van toepassing is

4. Hierdie statutêre maatreël is in die geografiese gebied van die Republiek van Suid-Afrika van toepassing.

Registrasie van lusernsaad en lusernhooi handelaars, verwerkers en produsente

5.(1) Enige lusernsaad of lusernhooi handelaar, lusernhooi verwerker en lusern produsent moet as sulks registreer by die Nasionale Lusern Trust.

(2) Registrasie sal onmiddelik na ontvangs van 'n registrasievorm, gratis verkrygbaar vir die doel by die Nasionale Lusern Trust, gedoen word, en sal ingedien word –

(a) Indien per pos versend, na -

Die Bestuurder
Nasionale Lusern Trust
Posbus 185
OUDTSHOORN
6620

(b) indien afgelewer per hand, by -

Die Bestuurder
Nasionale Lusern Trust
St John Straat 152
OUDTSHOORN
6625

(c) Indien per epos, na -

info@lusern.org

Inwerkingtreding en tydperk van geldigheid

6. Hierdie statutêre maatreël tree in werking op datum van hierdie publikasie en sal op 30 November 2026 verval.