

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NO. R. 3936****6 October 2023****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON APRICOTS**

I, Angela Thokozile 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), as amended, hereby establish the statutory measure set out in the attached Schedule.

MRS A.T. 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, unless the context otherwise indicates –

“Apricot producer” means a producer of apricots intended for exports and/or fresh domestic consumption and/or drying;

“Exporter” means a person who trade apricots for export for his own account, or acts as an agent on a commission basis on behalf of apricot producers;

Municipal market” means the national fresh produce markets as defined from time to time;

“Processor” means a person who procures dried apricots from a producer for local market and export; and

“Retailer” means a person who trades apricots on a retail level on the domestic market.

A person shall have a choice to register as either a producer or an exporter or municipal market or retailer or processor. A person who is a producer as well as an exporter or retailer or processor must register as a producer and as an exporter or retailer or processor.

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

2. The levy is needed by HORTGRO (Pty) Ltd 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 for fresh and dried apricots.

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 apricots.

The measure will be administered by HORTGRO, a company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). HORTGRO will implement and administer the measure as set out in the Schedule within DFPT Finance NPC, a non-profit company incorporated under of the Companies Act (as amended), 2008 (Act 71 of 2008).

Products to which statutory measure applies

3. This statutory measure shall apply to apricots destined for export and/or domestic fresh consumption and/or drying.

Area in which the measure shall apply

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

Imposition of the levy

5. A levy is hereby imposed on apricots.

Amount of levy

6. The amount of the levy shall be:

	2023/2024	2024/2025	2025/2026	2026/2027
Fresh export and domestic volumes	22,50c/Kg	22,50c/Kg	23,40c/Kg	24,30c/Kg
Fresh exports trade and market access volumes	11,80c/Kg	11,80c/Kg	12,30c/Kg	12,80 c/Kg
Dried fruit volumes	8,30 c/Kg	8,30 c/Kg	8,60 c/Kg	8,60 c/Kg
Dried trade and markets volumes	26,00 c/Kg	26,00 c/Kg	27,00 c/Kg	27,00.c/Kg

on all apricots on export (all classes) and/or domestic volumes (all classes) and/or dried fruit volumes (all classes).

Persons by whom and to whom the levy shall be payable

7. (1) The levy imposed under clauses 5 and 6 shall –
- (a) be payable by an apricot exporter on behalf of the producer from which such apricots have been procured in respect of all apricots exported;
 - (b) be payable by a municipal market on behalf of the producer from which such apricots have been procured in respect of all apricots sold on that market;
 - (c) be payable by a processor of dried apricots; and
 - (d) be payable by a retailer on behalf of the producer from which such apricots have been procured in respect of all apricots procured by that retailer.
- (2) A levy imposed under clauses 5 and 6 shall be payable to DFPT Finance in accordance with clause 8.

Payment of the 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 apricots for export or delivery to be sold on a municipal market or *via* a retailer or *via* a processor; and
- (2) Payment shall be made by means of electronic transfer to DFPT Finance NPC, into the DFPT Finance NPC bank account obtainable from HORTGRO 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 (4) years later.