
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 2614

14 October 2022

**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, Angela Thoko Didiza, Minister of Agriculture, Land Reform and Rural Development, 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.


ANGELA THOKO DIDIZA**MINISTER OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**

SCHEDULE

1. Definitions

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 –

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

“handled” in relation to red meat, means deboning, portioning, dicing, mincing, cooling or freezing;

“levy notice” means any notice whereby a levy is imposed on designated animals and red meat in terms of the Act;

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

“processing” in relation to red meat, means altering the meat, other than cutting portioning, dicing and mincing such meat, to enhance the meat, and “process” and “processes” shall have a corresponding meaning;

“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; 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 red meat 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 to fair labour practices 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, and Livestock Primary Cluster through its representative structure.

3. Products to which this statutory measure applies

This statutory measure shall apply to all –

- (a) designated animals slaughtered by abattoirs;
- (b) red meat from designated animals handled within the boundaries of the Republic of South Africa; and
- (c) designated animals exported live from the Republic of South Africa.

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) and 5(2) of the levy notice shall on an annual basis register or re-register with the Levy Administrator at the discretion of Levy Administrator.

- 5.1 Registration shall be done immediately upon receipt of a registration form, or upon receipt of an invite from an electronic system obtainable free of charge for this purpose from the Levy Administrator, and must –
 - a) be submitted, when forwarded by email, to the levy administrator by email; or
 - b) when sent by the electronic system on the system.
- 5.2 The implementation, administration and enforcement of the statutory measure established in this notice are entrusted to 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 2022 and will lapse after an extension period of four 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.

LANDBOU, GRONDHERVORMING EN LANDELIKE ONTWIKKELING, DEPARTEMENT VAN

NO. R. 2614

14 Oktober 2022

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996**(WET Nr. 47 VAN 1996)****INSTELLING VAN STATUTÊRE MAATREËL: REGISTRASIE VAN ROLSPELERS
IN DIE ROOIVLEISBEDRYF**

Ek, Angela Thoko Didiza, Minister van Landbou, Grondhervorming en Landelike Ontwikkeling, handelende kragtens artikels 10, 13, 14 en 19 van die Wet op die Bemaking van Landbouprodukte, 1996 (Wet Nr. 47 van 1996), soos gewysig, stel hiermee die statutêre maatreël in soos in die Bylaag hierby aangeheg, uiteengesit is.



ANGELA THOKO DIDIZA
MINISTER VAN LANDBOU, GRONDHERVORMING EN LANDELIKE
ONTWIKKELING

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;

“hanteer” in verband met rooivleis beteken die verandering van sulke vleis deur dit te ontbeen, versnipper, verdeel, maal, verkoel of bevries;

“Heffingsadministrateur” verwys na 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 en rooivleis in terme van die Wet ingestel word;

“prosessering” in verband met rooivleis beteken die verandering van sulke vleis andersins as sny, verdeel, versnipper en maal om die vleis te verbeter, en “prosesseer” en “prosesse” het 'n diensooreenkomstige betekenis; en

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

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, tydlige en akkurate inligting rakende geslagte aangewese diere en rooivleis aan alle rolspelers beskikbaar is. Markinligting is noodsaaklik vir alle rolspelers om ingeligte keuses te kan uitoefen.

Die daarstelling van hierdie statutêre maatreeë moet help om die effektiwiteit van die rooivelsbemarking te bevorder. Die lewensvatbaarheid en doeltreffendheid van die rooivelsbedryf behoort dus verhoog te word.

Hierdie statutêre maatreeë is nie nadelig vir enige van die doelwitte van die Wet nie en sal, in besonder, nie nadelig vir die aantal werkegeleenthede of op regverdige arbeidspraktyk in die rooivelsbedryf wees nie.

Die statutêre maatreeë sal deur die Heffingsadministrateur volgens die mandaat en namens die Rooivels en Lewendehawe Primêre Kluster deur middel van die verteenwoordigende liggaam, geadministreer word.

3. Produkte waarop die statutêre maatreeë van toepassing is

Hierdie statutêre maatreeë sal van toepassing wees op alle -

- (a) aangewese diere wat geslag is by abattoirs;
- (b) rooivels wat binne die grense van die Republiek van Suid-Afrika hanteer word; en
- (b) aangewese diere wat uitgevoer word van die Republiek van Suid-Afrika.

4. Gebied waarin die statutêre maatreeë van toepassing is

Hierdie statutêre maatreeë 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) en 5(2) van die heffingskennisgewing verwys is moet op 'n jaarlikse basis registreer of her-registreer by die Heffingsadministrateur.

5.1 Registrasie moet plaasvind sodra 'n registrasievorm, of 'n uitnodiging vanaf 'n elektroniese stelsel, gratis verkrygbaar van die Heffingsadministrateur, ontvang word en moet -

- (a) per epos versend word aan die Heffingsadministrateur indien per epos ontvang; of
- (b) wanneer dit per elektroniese stelsel ontvang is op die stelsel terug gestuur word.

5.2 Die implementering, administrasie en toepassing van die statutêre maatreeë gevestig in hierdie kennisgewing is toevertrou aan 'n nie-

winsgewende maatskappy soos uiteengesit in die Wet op Maatskappye, 2008 (Wet Nr. 71 van 2008).

6. Aanvang en geldigheids tydperk

Hierdie statutêre maatreël sal op 5 November 2022 in werking tree en sal na 'n verlengingsperiode van vier 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 gely 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, voorgesit of afgedwing word, en so 'n boete, verbeurdverklaring of straf kan opgelê kan word, asof die statutêre maatreël nie verval het nie.