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GOVERNMENT NOTICES
GOEWERMENSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE
DEPARTEMENT VAN LANDBOU

No. R. 15

12 January 2007

REGULATIONS AMENDING A STATUTORY
MEASURE: REGISTRATION

I, Lulu Xingwana, Minister of Agriculture, acting under sections 10, 11, 13 and 14 of the Marketing of Agricultural Products Act, 1996 (Act 47 of 1996), hereby amend the Regulations set out in the Schedule.

L Xingwana

Minister of Agriculture

Date

SCHEDULE

Definitions

1. In these regulations –

“**Regulations**” means the Regulations published under Government Notice No. R. 810 of 5 August 2005;

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

Reasons for the amendment of the Statutory Measure, purpose and aim of the amendment and the relation thereof to the objectives of the Act

2. These amendments are necessary so as to clarify the definition of "levy administrator", make provision for the change of the juristic person responsible for implementing, administrating and enforcing the levy and make provision for the procedure whereby abattoirs may apply for exemption from the statutory measure.
3. The Regulations did not differentiate between the products of designated animals on the one hand, and red meat products on the other. This differentiation is necessary in order to exempt imported hides and skins from the statutory measure.
4. It is intended that abattoirs slaughtering for own non-commercial use, should, upon application, be entitled to be exempted from the obligations to comply with the obligations contained in clause 5(a)(ii), (b) (ii) or (c)(i) of the levy notice.
5. These amendments allow for greater efficiency in the implementation, administration and enforcement of the statutory measure and collection of the levy so as to finance the functions that have been identified as crucial to the future development and sustainability of the red meat industry, with specific reference to the functions identified in the Regulations.

Amendment of regulation 1 of the Regulations

6. Regulation 1 of the Regulations is hereby amended by the substitution of the words:

“ **“levy administrator”** means the juristic person entrusted with the implementation, administration and enforcement of the statutory measure established in these Regulations, and identified in regulation 5 of the Schedule”

in place of the words:

“ **“levy administrator”** means the levy administrator as defined in the Levy Notice”.

Amendment of regulation 3 of the Regulations

7. Regulation 3 of the Regulations is hereby amended by the substitution of the words:

“This statutory measure shall apply to all designated animals and products from these animals as well as all designated animals or red meat products imported into the Republic of South Africa.”

in place of the words:

“This statutory measure shall apply to all designated animals and products from these animals as well as any red meat products imported into the Republic of South Africa.”.

Amendment of regulation 5 of the Regulations

8. Regulation 5 of the Regulations is hereby amended by -
- a) the substitution in the heading of regulation 5 of the words **“Registration and enforcement”** in place of the word **“Registration”**;
 - b) the deletion of paragraph (2)(a) and (c) and the substitution in its place of the following:
 - “(a) be submitted, when forwarded by post, to-
The Levy Administrator
P O Box 36802
Menlopark
PRETORIA
0102
 - (b) When sent by telefax, be addressed to-
+27 12 361 6004”
 - c) the introduction after paragraph (2) of the following -
 - “(3) Any abattoir as defined in the levy notice may apply to the Levy Administrator for exemption from the provisions of clause 5(a)(ii), (b) (ii) or (c)(i) of the levy notice for purposes of this statutory measure on the grounds that it is a welfare organisation as defined in terms of section 1 of the Value-Added Tax Act 89 of 1991.

- (4) The implementation, administration and enforcement of the statutory measure established in these Regulations are entrusted to the Levy Administrator in terms of Section 14 of the Act.”

Amendment of regulation 6 of the Regulations

Commencement and period of validity

9. These amendments shall come into operation on the date of publication hereof and lapse on the date as provided for by regulation 6 of the Regulations.

No. R. 15

12 Januarie 2007

REGULASIES TER WYSIGING VAN 'N STATUTÊRE MAATREËL: REGISTRASIE

Ek, Lulu Xingwana, Minister van Landbou, handelende kragtens artikels 10, 11, 13 en 14 van die Wet op die Bemaking van Landbouprodukte, 1996 (Wet Nr 47 van 1996), soos gewysig, wysig hiermee die Regulasies in die Bylae uiteengesit.

L. Xingwana

Minister van Landbou

Datum

BYLAE

Woordomsrywings

1. In hierdie regulasies beteken –

“**Regulasies**” die Regulasies soos gepubliseer in Goewerments-kennisgewing Nr R.810 van 5 Augustus 2005;

“**die Wet**” die Wet op die Bemaking van Landbouprodukte, 1996 (Wet Nr 47 van 1996), soos gewysig.

Redes vir die wysiging van die statutêre maatreël, oogmerk en doelwit van die wysiging en die verband daarvan met die oogmerke van die Wet

2. Hierdie wysigings is nodig om die woordoms krywing van “heffingsadministrateur” op te helder, om voorsiening te maak vir die verandering in die beskrywing van die regspersoon wat verantwoordelik vir die implementering, administrasie en afdwinging van die heffing is en om voorsiening te maak vir die prosedure waardeur abattoirs om vrystelling van die statutêre maatreël aansoek mag doen.
3. Die Regulasies het nie onderskeid gemaak tussen die produkte van aangewese diere aan die een kant en rooivleis produkte aan die ander kant nie. Hierdie onderskeid is nodig om ingevoerde huide en velle van die statutêre maatreël vry te stel.
4. Die bedoeling is dat abattoirs wat vir hulle eie nie-kommersiële gebruik slag, op aansoek, geregtig behoort te wees om vrygestel te word van dié verpligtings om te voldoen aan die verpligtings soos uiteengesit in Regulasies 5(a)(ii), (b)(ii) of c(i) van die heffingskennisgewing.
5. Hierdie wysigings laat toe vir groter doeltreffendheid met die implementering, administrasie en afdwinging van die statutêre

maatreël en die kolleksie van die heffing sodat die funksies wat as krities vir die toekomstige ontwikkeling en volhoubaarheid van die rooivleisbedryf geïdentifiseer is, gefinansier kan word, met spesifieke verwysing na die funksies wat in die Regulasies geïdentifiseer is.

Wysiging van regulasie 1 van die Regulasies

6. Regulasie 1 van die Regulasies word hierby gewysig deur die vervanging met die woorde:

“heffingsadministrateur” die regspersoon wat toevertrou is met die implementering, administrasie en afdwinging van die statutêre maatreël gevestig in hierdie Regulasies, en uiteengesit in regulasie 5 van die Bylae”

in die plek van die woorde:

“heffingsadministrateur” die heffingsadministrateur soos uiteengesit in die heffingskennisgewing”.

Wysiging van regulasie 3 van die Regulasies

7. Regulasie 3 van die Regulasies word hierby gewysig deur die vervanging met die woorde:

“Hierdie statutêre maatreël sal op alle aangewese diere en produkte van hierdie diere sowel as op alle aangewese diere of rooivleisprodukte wat in die Republiek van Suid-Afrika ingevoer is, van toepassing wees.”

in die plek van die woorde:

“Hierdie statutêre maatreël sal op aangewese diere en enige gepaardgaande produkte van toepassing wees.”.

Wysiging van regulasie 5 van die Regulasies

8. Regulasie 5 van die Regulasies word hierby gewysig deur -

a) die vervanging in die opskrif van regulasie 5 met die woorde **“Registrasie en afdwinging”** in die plek van die woord **“Registrasie”**;

b) die skraping van paragraaf (2)(a) en (c) en die vervanging in hulle plekke met die volgende:

“a) per pos gestuur word aan:

“Die Heffingsadministrateur

Posbus 36802

Menlopark

PRETORIA

0102”.

of

b) gefaks word aan:

+27 12 361 6004”

c) die invoeging na paragraaf (2) van die volgende -

“(3) Enige abattoir soos omskryf in die heffingskennisgewing mag by die Heffingsadministrateur aansoek om vrystelling doen van die bepalings van Regulasie 5(a)(ii),

(b)(ii) of (c)(i) van die heffingskennisgewing vir doeleindes van hierdie statutêre maatreël op grond daarvan dat dit 'n welsynsorganisasie is ingevolge artikel 1 van die Wet op Waardetoegevoegde Belasting, Wet Nr 89 van 1991.

- (4) Die implementering, administrasie en afdwinging van die statutêre maatreël gevestig in hierdie Regulasies is toevertrou aan die heffingsadministrateur kragtens Artikel 14 van die Wet.”

Wysiging van regulasie 6 van die Regulasies

Aanvang en tydperk van geldigheid

9. Hierdie wysigings sal op die datum van publikasie in werking tree en verval op die datum soos voorsien by regulasie 6 van die Regulasies.

No. R. 16

12 January 2007

**REGULATIONS AMENDING A STATUTORY
MEASURE: LEVY ON CATTLE, SHEEP, GOATS,
PIGS AND ITS PRODUCTS**

I, Lulu Xingwana, Minister of Agriculture, acting under sections 10, 11, 13 and 14 of the Marketing of Agricultural Products Act, 1996 (Act 47 of 1996), hereby amend the Regulations set out in the Schedule.

L. Xingwana

Minister of Agriculture

Date

SCHEDULE

Definitions

1. In these regulations –

“**Regulations**” means the Regulations published under Government Notice No. R. 809 of 5 August 2005;

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

Amendment of regulation 1 of the Regulations

6. Regulation 1 of the Regulations is hereby amended by -
- a) the substitution of the words:
- “ **abattoir**” means a slaughter facility as defined in section 1 of the Meat Safety Act 40 of 2000, save for those facilities that have been excluded by the Levy Administrator after application to the Levy Administrator as provided for in the amendment to the registration notice”
- in place of the words:
- “ **abattoir**” means any place where a designated animal is slaughtered for any intended use other than own non-commercial use”;
- b) the substitution of the words:
- “ **levy administrator**” means the juristic person entrusted with the implementation, administration and enforcement of the statutory measure established in these Regulations, and identified in regulation 8 of the Schedule”
- in place of the words:
- “ **levy administrator**” means the levy administrator as defined in the Levy Notice”;
- c) the insertion after the definition of **“head”** of the wording “irrespective of its age, size or weight or whether it is sold together with another animal, animals or offspring”;

- d) the substitution of the words:
- “ **“meat trader”** means any person selling red meat, whether operating independently or as part of a group or chain of wholesale or retail outlets;”
- in place of the words:
- “ **“meat retail outlet”** means any outlet where red meat is sold, whether operated independently or as part of a group or chain of meat outlets”;
- e) the insertion after the definition of the words **“meat processor”** and before the definition of the words **“the Act”** of the following:
- “ **“owner”** means the owner of any designated animal at the time of slaughter of that designated animal;”.

Amendment of regulation 3 of the Regulations

7. Regulation 3 of the Regulations is hereby amended by the substitution of the words:
- “This statutory measure shall apply to all designated animals and products from these animals as well as all designated animals or red meat products imported into the Republic of South Africa.”
- in place of the words:
- “This statutory measure shall apply to all designated animals and products from these animals as well as any red meat products imported into the Republic of South Africa.”.

Amendment of regulation 4 of the Regulations

8. Regulation 4 of the Regulations is hereby amended by the substitution of the word “apply” in the heading of Regulation 4 in place of the word “applies”.

Amendment of regulation 5 of the Regulations

9. Regulation 5 of the Regulations is hereby amended by –
- a) the substitution in the opening paragraph of the words “their products” in place of the word “product”;
 - b) the substitution in the heading to paragraph (a) of the word “Cattle” in place of the word “Beef”;
 - c) the substitution in paragraph (a) (i) of the words:

“Deducted and retained from the selling price of each animal by any buyer of such animal. In the event of an animal not reaching the place of slaughter, the levy should be paid over to the Levy Administrator”

in place of the words:

“Deducted and retained from the selling price of each animal by any buyer of such animal”;

- d) the substitution in paragraph (a)(ii) of the words:
“Paid by the owner to the abattoir and collected by the abattoir at slaughter from the owner of such animal and paid over by the abattoir to the levy administrator”
in place of the words:
“Deducted by the abattoir at slaughter from the person presenting such animal for slaughter and paid over to the levy administrator”;
- e) the substitution in paragraph (a)(iii) of the word “trader” in place of the words “retail outlet”;
- f) the substitution of paragraph (b)(i) of the words:
“Deducted and retained from the selling price of each animal by any buyer of such animal. In the event of an animal not reaching the place of slaughter, the levy should be paid over to the Levy Administrator”
in place of the words:
“Deducted and retained from the selling price of each animal by any buyer of such animal”;
- g) the substitution of paragraph (b)(ii) of the words:
“Paid by the owner to the abattoir and collected by the abattoir at slaughter from the owner of such animal and paid over by the abattoir to the levy administrator”
in place of the words:

“Deducted by the abattoir at slaughter from the person presenting such animal for slaughter and paid over to the Levy Administrator”;

h) the substitution in paragraph (b)(iii) of the word “trader” in place of the words “retail outlet”;

i) the substitution of paragraph (c)(i) of the words:

“Paid by the owner to the abattoir and collected by the abattoir at slaughter from the owner of such animal and paid over by the abattoir to the levy administrator”

in place of the words:

“Deducted by the abattoir at slaughter from the person presenting such animal for slaughter and paid over to the Levy Administrator”;

j) the substitution in paragraph (c)(ii) of the word “trader” in place of the words “retail outlet”;

k) the substitution in Regulation 5 of the entire Note with the following words:

“Note: A meat trader shall pay R300 in respect of each of its outlets or premises, irrespective as to whether such meat trader sells one or more or all of the meat products of designated animals.”

Amendment of regulation 7 of the Regulations

10. Regulation 7 of the Regulations is hereby amended by the substitution of the price per kilogram in paragraph (b)(ii) of "R15/kg" in place of the price per kilogram of "R5/kg".

Amendment of regulation 8 of the Regulations

11. Regulation 8 of the Regulations is hereby amended by –
- a) the deletion of the heading "**Payment of levy**" to Regulation 8 and the substitution in its place of the following: "**Payment and enforcement of levy**"
 - b) the substitution in paragraph (1)(a) of the words "the end of the calendar month within which the event took place" in the place of the words "any event taking place";
 - c) the deletion of paragraph (2)(a) and the substitution in its place of the following:-
"When paid by cheque, be addressed to -

The Levy Administrator

P O Box 36802

Menlopark

PRETORIA

0102".

d) the introduction after paragraph (2) of the following -

“(3) The implementation, administration and enforcement of the statutory measure established in these Regulations is entrusted to the Levy Administrator in terms of Section 14 of the Act.”

Amendment of regulation 9 of the Regulations

12. Regulation 9 of the Regulations is hereby amended by the substitution in paragraph (a) of the word “approves” in the place of the word “approve”.

Amendment of regulation 10 of the Regulations

Commencement and period of validity

13. These amendments shall come into operation on the date of publication hereof and lapse on the date as provided for by regulation 10 of the Regulations.

No. R. 16

12 Januarie 2007

REGULASIES TER WYSIGING VAN 'N STATUTÊRE
MAATREËL: HEFFING OP BEESTE, SKAPE, BOKKE,
VARKE ASOOK HUL PRODUKTE

Ek, Lulu Xingwana, Minister van Landbou, handelende kragtens artikels 10, 11, 13 en 14 van die Wet op die Bemaking van Landbouprodukte, 1996 (Wet Nr 47 van 1996), soos gewysig, wysig hiermee die Regulasies in die Bylae uiteengesit.

L. Xingwana

Minister van Landbou

Datum

BYLAE

Woordomsrywings

1. In hierdie regulasies beteken –

“**Regulasies**” die Regulasies soos gepubliseer in Goewermentskennisgewing Nr R.809 van 5 Augustus 2005;

“**die Wet**” die Wet op die Bemaking van Landbouprodukte, 1996 (Wet Nr 47 van 1996), soos gewysig.

Redes vir die wysiging van die statutêre maatreël, oogmerk en doelwit van die wysiging en die verband daarvan met die oogmerke van die Wet

2. Hierdie wysigings is nodig om sommige van die woordskrywings op te helder; om tipografiese foute, inkorrekte verwysings en grammatikale foute te korrigeer; om voorsiening te maak vir die verandering in die beskrywing van die regspersoon wat verantwoordelik vir die implementering, administrasie en afdwinging van die heffing is; en om opheldering te gee oor wie die verpligtings het om die heffing te betaal en/of te kollekteer.
3. Die Regulasies het nie onderskeid gemaak tussen die produkte van aangewese diere aan die een kant en rooivleisprodukte aan die ander kant nie. Hierdie onderskeid is nodig om ingevoerde huide en velle van die statutêre maatreël vry te stel.
4. Die bedoeling is dat abattoirs wat vir hulle eie nie-kommersiële gebruik slag, op aansoek by die Heffingsadministrateur, geregtig behoort te wees om vrygestel te word van dié verpligtings om te voldoen aan die verpligtings soos uiteengesit in Regulasies 5(a)(ii), (b)(ii) of c(i) van die heffingskennisgewing.

5. Hierdie wysigings laat toe vir groter doeltreffendheid met die implementering, administrasie en afdwinging van die statutêre maatreël sodat die funksies wat as krities vir die toekomstige ontwikkeling en volhoubaarheid van die rooivleisbedryf geïdentifiseer is, gefinansier kan word, met spesifieke verwysing na die funksies wat in die Regulasies geïdentifiseer is.

Wysiging van regulasie 1 van die Regulasies

6. Regulasie 1 van die Regulasies word hierby gewysig deur –
 - a) die vervanging met die woorde:

“**abattoir**” ‘n slagfasiliteit soos omskryf in seksie 1 van die Wet op Vleisveiligheid, Wet Nr 40 van 2000, behalwe vir daardie fasiliteite wat deur die Heffingsadministrateur uitgesluit is nadat daar aansoek by die Heffingsadministrateur gedoen is soos voorsien word in die wysiging tot die registrasiekennisgewing”

in die plek van die woorde:

abattoir” enige plek waar ‘n aangewese dier vir enige voorgenome gebruik buiten eie nie-kommersiële gebruik, geslag word”;
 - b) die vervanging met die woorde:

“ **heffingsadministrateur**” die regspersoon wat toevertrou is met die implementering, administrasie en afdwinging van die statutêre maatreël gevestig in hierdie Regulasies, en uiteengesit in regulasie 8 van die Bylae”

in die plek van die woorde:

“ **heffingsadministrateur**” administrateur aangestel deur die Rooivleisbedryfsforum wat volgens voorskrifte en in opdrag van dié Forum heffings sal in en fondse uitbetaal”;

- c) die invoeging na die woordoms krywing van “**kop**” die bewoording “ongeag van sy/haar ouderdom, grootte of gewig of ongeag of hy/sy saam met ‘n ander dier, diere of nasate verkoop word”;

- d) die vervanging met die woorde:

“ **vleishandelaar**” enige persoon wat rooivleis verkoop, hetsy bedrywende onafhanklik of as deel van ‘n groep of ketting van groothandel of kleinhandel afsetpunte;”

in die plek van die woorde:

“ **kleinhandelaar**” enige afsetpunt wat onafhanklik bedryf word of deel is van ‘n groep of ketting vleisafsetpunte waar rooivleis verkoop word;”

- e) die invoeging na die woordoms krywing “**aangewese dier**”

en voor die woordoms krywing “**kop**” met die volgende:

“ **eienaar**” die eienaar van enige aangewese dier tydens die slagting van daardie aangewese dier;”.

Wysiging van regulasie 3 van die Regulasies

7. Regulasie 3 van die Regulasies word hierby gewysig deur die vervanging met die woorde:

“Hierdie statutêre maatreël sal van toepassing wees op alle aangewese diere, hulle produkte en alle aangewese diere of rooivleisprodukte wat in die Republiek van Suid-Afrika ingevoer word.”

in die plek van die woorde:

“Die statutêre maatreël sal van toepassing wees op alle aangewese diere, hulle produkte en enige rooivleisproduk wat in die Republiek van Suid-Afrika ingevoer word.”.

Wysiging van regulasie 5 van die Regulasies

9. Regulasie 5 van die Regulasies word hierby gewysig deur -

- a) die vervanging in die eerste paragraaf met die woorde “hulle produkte” in die plek van die woord “vleisproduk”;
- b) die vervanging in die opskrif van paragraaf (a) met die woord “Beeste” in die plek van die woord “Bees”;
- c) die vervanging in paragraaf (a)(i) met die woorde:

“Afgetrek en teruggehou van die verkoopprijs van elke dier deur enige koper van so 'n dier. Indien so 'n dier nie die plek van slagting bereik nie, moet die heffing aan die Heffingadministrateur oorbetal word”

in plek van die woorde:

“Afgetrek en teruggehou van die verkoopprijs van elke dier deur enige koper van so 'n dier“

- d) die vervanging in paragraaf (a)(ii) met die woorde:

“Betaal deur die eienaar aan die abattoir en gekollekteer deur die abattoir van die eienaar van so 'n dier tydens die slagting daarvan en oorbetal deur die abattoir aan die heffingsadministrateur”

in die plek van die woorde:

“Afgetrek deur die abattoir van die persoon wat so 'n dier vir slag aanbied, betaalbaar aan die heffingsadministrateur”;

- e) die vervanging in paragraaf (a)(iii) met die woord “vleishandelaar” in die plek van die woorde “kleinhandel vleisafsetpunt”;

- f) die vervanging in paragraaf (b)(i) met die woorde:

“Afgetrek en teruggehou van die verkoopprijs van elke dier deur enige koper van so 'n dier. Indien so 'n dier nie die plek van slagting bereik nie, moet die heffing aan die Heffingadministrateur oorbetal word“

in plek van die woorde:

“Afgetrek en teruggehou van die verkoopprijs van elke dier deur enige koper van so 'n dier“

- g) die vervanging in paragraaf (b)(ii) met die woorde:

“Betaal deur die eienaar aan die abattoir en gekollekteer deur die abattoir van die eienaar van so 'n dier tydens die slagting daarvan en oorbetal deur die abattoir aan die heffingsadministrateur”

in die plek van die woorde:

“Afgetrek deur die abattoir van die persoon wat so ‘n dier vir slag aanbied, betaalbaar aan die heffingsadministrateur”;

h) die vervanging in paragraaf (b)(iii) met die woord “vleishandelaar” in die plek van die woorde “kleinhandel vleisafsetpunt”;

i) die vervanging in paragraaf (c)(i) met die woorde:

“Betaal deur die eienaar aan die abattoir en gekollekteer deur die abattoir van die eienaar van so ‘n dier tydens die slagting daarvan en oorbetaal deur die abattoir aan die heffingsadministrateur”

in die plek van die woorde:

“Afgetrek deur die abattoir van die persoon wat so ‘n dier vir slag aanbied, betaalbaar aan die heffingsadministrateur”;

j) die vervanging in paragraaf (c)(ii) met die woord “vleishandelaar” in die plek van die woorde “kleinhandel vleisafsetpunt”;

k) die vervanging in Regulasie 5 van die Nota met die volgende woorde:

“Nota: ‘n Vleishandelaar sal R300 betaal ten opsigte van elk van sy/haar afsetpunte of persele, ongeag of so ‘n vleishandelaar een of meer van die aangewese diere se vleisprodukte verkoop.”

Wysiging van regulasie 9 van die Regulasies

12. Regulasie 9 van die Regulasies word hierby gewysig deur die vervanging met die woord "dat" in die eerste sin ná die opskrif in die plek van die woord "at."

Wysiging van regulasie 10 van die Regulasies

Aanvang en tydperk van geldigheid

13. Hierdie wysigings sal op die datum van publikasie in werking tree en verval op die datum soos voorsien by regulasie 10 van die Regulasies.

No. R. 17

12 January 2007

REGULATIONS AMENDING A STATUTORY MEASURE: RECORDS AND RETURNS BY ABATTOIRS AND OTHER ROLE-PLAYERS

I, Lulu Xingwana, Minister of Agriculture, acting under sections 10, 11, 13 and 14 of the Marketing of Agricultural Products Act, 1996 (Act 47 of 1996), as amended, hereby amend the Regulations set out in the Schedule.

L. Xingwana

Minister of Agriculture

Date

SCHEDULE

Definitions

1. In these regulations –

“**Regulations**” means the Regulations published under Government Notice No. R. 808 of 5 August 2005;

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

Reasons for the amendment of the statutory measure, purpose and aim of the amendment and the relation thereof to the objectives of the Act

2. These amendments are necessary so as to clarify the definition of “designated animal” and to make provision for the change of the juristic person responsible for implementing, administrating and enforcing the levy.
3. The Regulations did not differentiate between the products of designated animals on the one hand, and red meat products on the other. This differentiation is necessary in order to exempt imported hides and skins from the statutory measure.
4. A new Levy Administrator has been appointed which is a company incorporated not for gain in terms of Section 21 of the Companies Act 61 of 1973 (as amended). It is accordingly necessary pursuant to the provisions of Section 15(4)(b) of the Act to effect the necessary changes.
5. These amendments allow for greater efficiency in the implementation, administration and enforcement of the statutory measure so as to finance the functions that have been identified as crucial to the future development and sustainability of the red meat industry, with specific reference to the functions identified in the Regulations.

6. The purpose and aims of the statutory measure, which is to compel the parties referred to in the Regulations, to render records and returns to the Levy Administrator, remains unaffected.

Amendment of regulation 1 of the Regulations

7. Regulation 1 of the Regulations is hereby amended by the substitution of the words:

“ **levy administrator**” means the juristic person entrusted with the implementation, administration and enforcement of the statutory measure established in these Regulations, and identified in regulation 5 of the Schedule”

in place of the words:

“ **levy administrator**” means the levy administrator as defined in the Levy Notice”.

Amendment of regulation 3 of the Regulations

8. Regulation 3 of the Regulations is hereby amended by the substitution of the words:

“This statutory measure shall apply to all designated animals and products from these animals as well as all designated animals or red meat products imported into the Republic of South Africa.”

in place of the words:

“This statutory measure shall apply to all designated animals and products from these animals as well as any red meat products imported into the Republic of South Africa.”.

Amendment of regulation 5 of the Regulations

9. Regulation 5 of the Regulations is hereby amended by –

a) the substitution in the heading to regulation 5 of the words:

“Records to be kept, returns to be rendered and the enforcement thereof”

in place of the words:

“Records to be kept and returns to be rendered”;

b) the deletion of paragraph (3)(a) and the substitution in its place of the following:-

“be submitted, when forwarded by post, to -

The Levy Administrator

P O Box 36802

Menlopark

PRETORIA

0102”.

c) the introduction after paragraph (3) of the following -

“(4) The implementation, administration and enforcement of the statutory measure established in these Regulations is

entrusted to the Levy Administrator in terms of Section 14 of the Act.”

Amendment of regulation 6 of the Regulations

Commencement and period of validity

10. These amendments shall come into operation on the date of publication hereof and lapse on the date as provided for by regulation 6 of the Regulations.

**REGULASIES TER WYSIGING VAN 'N STATUTÊRE
MAATREËL: OPGAWES EN VERSLAGGEWING VAN
ABATTOIRS EN ANDER ROLSPELERS**

Ek, Lulu Xingwana, Minister van Landbou, handelende kragtens artikels 10,11, 13 en 14 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet Nr 47 van 1996), soos gewysig, wysig hiermee die Regulasies in die Bylae uiteengesit.

L. Xingwana

Minister van Landbou

Datum

BYLAE

Woordomsrywings

1. In hierdie regulasies beteken –

“**Regulasies**” die Regulasies soos gepubliseer in Goewerments-kennisgewing Nr R.808 van 5 Augustus 2005;

“**die Wet**” die Wet op die Bemarking van Landbouprodukte, 1996 (Wet Nr 47 van 1996), soos gewysig.

Redes vir die wysiging van die statutêre maatreël, oogmerk en doelwit van die wysiging en die verband daarvan met die oogmerke van die Wet

2. Hierdie wysigings is nodig om die woordomskrywing van “aangewese dier” te verander en om voorsiening te maak vir die verandering in die beskrywing van die regspersoon wat verantwoordelik vir die implementering, administrasie en afdwinging van die statutêre maatreëls is.
3. Die Regulasies het nie onderskeid gemaak tussen die produkte van aangewese diere aan die een kant en rooivleisprodukte aan die ander kant nie. Hierdie onderskeid is nodig om ingevoerde huide en velle van die statutêre maatreël vry te stel.
4. 'n Nuwe heffingsadministrateur, wat 'n ingelyfde maatskappy sonder winsoogmerk ingevolge Artikel 21 van die Wet op Maatskappye (Wet Nr 61 van 1973), soos gewysig, is, is aangestel. Dit is gevolglik nodig ooreenkomstig die bepalings van Artikel 15(4)(b) van die Wet om die nodige veranderinge aan te bring.
5. Hierdie wysigings laat toe vir groter doeltreffendheid met die implementering, administrasie en afdwinging van die statutêre maatreël sodat die funksies wat as krities vir die toekomstige

ontwikkeling en volhoubaarheid van die rooivleisbedryf geïdentifiseer is, gefinansier kan word, met spesifieke verwysing na die funksies wat in die Regulasies geïdentifiseer is.

6. Die oogmerk en doelwitte van die statutêre maatreël, naamlik om die partye waarna in die Regulasies verwys word te dwing om opgawes te hou en verslae by die heffingsadministrateur in te handig, bly onaangetas.

Wysiging van regulasie 1 van die Regulasies

7. Regulasie 1 van die Regulasies word hierby gewysig deur die vervanging met die woorde:

“ **heffingsadministrateur**” die regspersoon wat toevertrou is met die implementering, administrasie en afdwinging van die statutêre maatreël gevestig in hierdie Regulasies, en uiteengesit in regulasie 5 van die Bylae”

in die plek van die woorde:

“ **heffingsadministrateur**” die heffingsadministrateur soos uiteengesit in die heffingskennisgewing”.

Wysiging van regulasie 3 van die Regulasies

8. Regulasie 3 van die Regulasies word hierby gewysig deur die vervanging met die woorde:

“Hierdie statutêre maatreël sal op alle aangewese diere en produkte van hierdie diere van toepassing wees en ook op alle aangewese diere of rooivleisprodukte wat in die Republiek van Suid-Afrika ingevoer word.”

in die plek van die woorde:

“Hierdie statutêre maatreël sal op aangewese diere en enige gepaardgaande vleisprodukte van toepassing wees.”

Wysiging van regulasie 5 van die Regulasies

9. Regulasie 5 van die Regulasies word hierby gewysig deur –
- a) die vervanging in die opskrif van regulasie 5 met die woorde:
- “Opgawes wat gehou en verslae wat ingehandig moet word en die afdwinging daarvan”**
- in die plek van die woorde:
- “Opgawes en verslae wat ingehandig moet word”;**
- b) die skraping van die naam en adres in paragraaf (3)(a) en die vervanging daarvan met die volgende:-
- “Per pos gestuur word aan:
- Die Heffingsadministrateur
- Posbus 36802
- Menlopark
- PRETORIA
- 0102”.

- c) die invoeging na paragraaf (3) van die volgende -
- “(4) Die implementering, administrasie en afdwinging van die statutêre maatreël gevestig in hierdie Regulasies is toevertrou aan die heffings-administrateur kragtens Artikel 14 van die Wet.”

Wysiging van regulasie 6 van die Regulasies

Aanvang en tydperk van geldigheid

10. Hierdie wysigings sal op die datum van publikasie in werking tree en verval op die datum soos voorsien by regulasie 6 van die Regulasies.

No. R. 18**12 January 2007****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996****(ACT No. 47 OF 1996) AS AMENDED****REQUEST FOR THE AMENDMENTS TO STATUTORY MEASURES
FOR OILSEEDS, SORGHUM, WINTER CEREAL, AND MAIZE**

It is hereby made known in terms of section 11 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), that the Minister of Agriculture has received a request for the amendment of statutory measures in terms of section 10 of the said Act as set out in the Schedule hereto.

Directly affected groups are hereby invited to submit any comments regarding the proposed amendment of the statutory measures to the National Agricultural Marketing Council within 14 days of the publication thereof.

Submissions should be in writing and be addressed to:

**The Chairperson
National Agricultural Marketing Council
Private Bag X 935
PRETORIA
0001**

**Enquiries: Ms Lizette Mellet
Fax No.: (012) 341 1911
Tel.: (012) 400 9760
lizette@namc.co.za**

**Mr TR Ramabulana
CHIEF EXECUTIVE OFFICER: NAMC**

**REQUEST FOR THE AMENDMENT OF STATUTORY MEASURES
RELATED TO RECORDS AND RETURNS FOR OILSEEDS, SORGHUM, WINTER
CEREAL, AND MAIZE, IN TERMS OF THE MARKETING OF AGRICULTURAL
PRODUCTS ACT, 1996 (ACT NO 47 OF 1996), AS AMENDED**

1. PROPOSED AMENDMENT TO THE STATUTORY MEASURE: RECORDS AND RETURNS

The South African Grain Information Service (SAGIS) requested that the Minister, in terms of sections 13 and 18 of the Act, by notice in the Government Gazette, direct that oilseed processed for consumption in South Africa, in respect of bio-fuel, be included in the statutory measures relating to records and returns to SAGIS.

Furthermore that the Minister direct that whole grain processed in South Africa for bio-fuel be published separately from human consumption and animal feed and be specified separately in the records and returns to SAGIS.

2. SPECIFIC PROPOSALS TO AMENDMEND THE STATUTORY MEASURES:

The **statutory measure for oilseeds** as published by Government Notice No. 1049 of 27 October 2000 (as amended) is requested to be amended as follows:

- The definition of "processor" to be replaced by the following definition:
"Processor" means a person who processes oilseeds, in any manner whatsoever, for the manufacture of oilseeds products (including bio-fuel) with the aim of selling the resultant product;
- Section 5(2)(e)(i) For consumption in South Africa separately in respect of-
Item (cc) to be amended as follows:
(cc) oil and oilcake (including bio-fuels).

The **statutory measure for sorghum** as published by Government Notice No. 1042 of 27 October 2000 (as amended) is requested to be amended as follows:

- The definition of "processor" to be replaced by the following definition:
"Processor" means a person who mills, crushes, grinds to grits or otherwise processes sorghum, in any manner whatsoever, for the manufacture of sorghum products (including bio-fuel and drinking alcohol) with the aim of selling the resultant product;
- Section 5(2)(e)(i) For consumption in South Africa separately in respect of-
Item (cc) to be amended and (ii) to be added as follows:
(cc) meal market (including drinking alcohol)
(ii) bio-fuel.

The **statutory measure for winter cereal** as published by Government Notice No. 1043 of 27 October 2000 (as amended) is requested to be amended as follows:

- The definition of “processor” to be replaced by the following definition:
“Processor” means a person who mills, crushes, grinds to grits or otherwise processes winter cereal, in any manner whatsoever, for the manufacture of winter cereal products (including bio-fuel and drinking alcohol) with the aim of selling the resultant product;
- Section 5(2)(e)(i) For consumption in South Africa separately in respect of-
Item (aa) to be amended and (cc) to be added as follows:
(aa) human consumption (including drinking alcohol)
(cc) bio-fuel.

The **statutory measure for maize** as published by Government Notice No. 1044 of 27 October 2000 (as amended) is requested to be amended as follows:

- The definition of “processor” to be replaced by the following definition:
“Processor” means a person who mills, crushes, grinds to grits or otherwise processes maize, in any manner whatsoever, for the manufacture of maize products (including bio-fuel and drinking alcohol) with the aim of selling the resultant product;
- Section 5(2)(e)(i) For consumption in South Africa separately in respect of-
Item (aa) to be amended and (dd) to be added as follows:
(aa) human consumption (including drinking alcohol)
(dd) bio-fuel.

3. PURPOSE OF THE PROPOSED AMENDMENTS

- 3.1 According to the applicant, the proposed amendments to the statutory measures, will further the objectives of the Act as stipulated in section 2(2) thereof. The proposed amendments will also not contravene section 2(3) of the Act.
- 3.2 The proposed amendments are deemed necessary in order to keep information on grains market related.
- 3.3 If the Minister approves the application, the amendments to the statutory measures will come into operation on the date of publication thereof in the Government Gazette. The statutory measures to be amended lapse on 30 April 2008.