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DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 1459

02 DECEMBER 2016

**MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF
GUIDELINE PRICES: LEVIES ON FRESH CITRUS FRUIT INTENDED FOR
EXPORT**

I, Senzeni Zokwana, Minister of Agriculture, Forestry and Fisheries, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby –

- (a) establish the statutory measure set out in the attached Schedule;
- (b) determine the guideline price for fresh citrus fruit intended for export to be R112 per 15kg carton.

SENZENI ZOKWANA,
Minister of Agriculture, Forestry and Fisheries.

SCHEDULE

Definitions

1. In this Schedule any word or expression to which a meaning has been assigned in the Act must have that meaning, and unless the context otherwise indicates -

"**CGA**" means the Citrus Growers Association of Southern Africa, incorporated under the Companies Act, 2008 (Act No. 71 of 2008), with registration number 2000/010147/08;

"**exporter**" means an exporter of citrus fruit that exports citrus fruit on behalf of a producer, and includes a producer that exports on his own behalf or on behalf of other producers;

"**export citrus fruit**" means fresh citrus fruit intended for export;

"**producer**" means grower of export citrus fruit; and

"**the Act**" means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996).

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

2. (1) The purpose and aim of this statutory measure is to compel the parties to pay a levy to the CGA. The levy is a continuation of the statutory levy introduced in 2008, and is needed by the CGA for the funding of production research and development, plant improvement, information and statistics and market access functions to maintain current and develop new export markets, as well as the transformation of the citrus sector.

(2) The measure will not be detrimental to the number of employment opportunities or fair labour practice and will only affect the role players in the citrus industry. On the contrary, the statutory measure aims to maintain the position of South Africa as one of the largest producers and exporters of fresh citrus in the world.

(3) The measure will be administered by the CGA, a company not for gain incorporated under the Companies Act, 2008.

Products to which statutory measure applies

3. This statutory measure shall apply to all export citrus fruit.

Area in which statutory measure applies

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

Imposition of levy

5. A levy is hereby imposed on all export citrus fruit.

Amount of levy

6. The amount of the levy on export citrus fruit shall be as set out in the Table below:

| Levy per 15kg carton of export citrus fruit (Excluding VAT) | | | |
|--|-------------|-------------|-------------|
| 2017 | 2018 | 2019 | 2020 |
| 68 cents | 70 cents | 72 cents | 74 cents |

Persons by whom levy is payable

7. The levy shall be payable -
- (a) by a producer; and
 - (b) in the manner set out in clause 8.

Payment of levy

8. (1) Payment of the levy shall be made on behalf of a producer by the exporter of the citrus fruit concerned: Provided that –
- (a) if the amount of the levy has been paid by the exporter of the citrus fruit concerned, he or she may deduct the amount thereof from any monies owed to such producer, or collect the amount of such levy from the producer concerned; and
 - (b) an exporter shall be entitled to retain an administration fee of 1% of the levy thus deducted or collected in terms of sub-clause (1)(a) for his or her own account.
- (2) Payments shall be made no later than thirty days after the citrus fruit had been approved for export in terms of the Agricultural Product Standards Act by means of a cheque or electronic transfer in favour of the CGA, and shall –
- (a) when forwarded by post, be addressed to -
CGA
P.O. Box 461
Hillcrest
3650
 - (b) when delivered by hand, be delivered to -
CGA
Unit 7
22 on Main

GILLITTS

- (c) when electronically transferred, be transferred to -
Citrus Growers Association
Bank: Standard Bank
Branch: Hillcrest
Branch number: 045726
Account number: 250783924

Commencement and validity

9. This statutory measure will be effective from 1 January 2017 and will lapse on 31 December 2020.

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