

**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES**

NO. R. 1022

23 OCTOBER 2015

**MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996  
(ACT No. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON  
POMEGRANATE AND POMEGRANATE PRODUCTS**

I, SENZENI ZOKWANA, Minister for Agriculture, Forestry & Fisheries, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule.

**SENZENI ZOKWANA,**

Minister of Agriculture, Forestry &amp; Fisheries.

**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 –

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

“**Importer**” means a person who imports pomegranates.

“**Pomegranate Producer**” means a producer of pomegranates intended for exports and/or fresh domestic consumption;

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

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

2. The levy is needed by POMASA 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 pomegranates.

These measures are necessary to ensure that continuous, timeous and accurate information relating to the pomegranate industry is available to all role players in order for them to make informed decisions.

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 pomegranates.

The measure will be administered by POMASA, a company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). POMASA will implement and administer the measure as set out in the Schedule.

#### **Products to which statutory measure applies.**

3. This statutory measure shall apply to pomegranates destined for export and/or fresh domestic consumption as well as processing.

#### **Area in which measure shall apply**

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

#### **Imposition of levy**

5. A levy is hereby imposed on pomegranates and pomegranate products.

#### **Amount of levy**

6. The amount of the levy shall be:

	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Fresh – Export and Import	13,0 c/Kg	13,0 c/Kg	14,0 c/Kg	14,0 c/Kg
Processing	7,0 c/Kg	7,0 c/Kg	8,0 c/Kg	8,0 c/Kg

on all pomegranates on export (all classes).

#### **Persons by whom and to whom levy shall be payable**

7. (1) The levy imposed under clause 5 shall –
- be payable by a pomegranate exporter on behalf of the producer from which such pomegranates have been procured in respect of all pomegranates exported;
  - on all pomegranates destined for the manufacturing of pomegranate juice or juice concentrate; and
  - be payable by the importer of all pomegranates imported.
- (2) A levy imposed under clause 5 shall be payable to POMASA in accordance with clause 8.

#### **Payment of 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 pomegranates for export.

- (2) Payment shall be made by means of a cheque or electronic transfer in favour of POMASA, and shall –
- (a) when paid by cheque, be addressed to –  
POMASA  
PO Box 163  
PAARL  
7620
  - (b) when electronically transferred, be paid to the bank account obtainable from POMASA on request.

**Commencement and period of validity**

9. This statutory measure shall come into operation on 1 January 2016 and will lapse 4 years later.