

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 4299

2 February 2024

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

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 AT 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 –

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

“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.

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 (Pomegranate Association of South Africa) 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 all pomegranates destined for export as well as local market sales, regardless of the intention to offer it for sale as whole fruit or for processing purposes.

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.

Determination of guideline prices

6. The guideline prices of pomegranates and pomegranate products are hereby determined as R15/kg.

Amount of levy

7. The maximum amount of the levy shall be:

	2024	2025	2026	2027
Fresh, Extra Class and Class 1 Export, Import and Local sales	17c/kg	17c/kg	18c/kg	18c/kg
Processing class and Class 2 Export Import and Local sales	11c/kg	11c/kg	12c/kg	12c/kg

Persons by whom and to whom levy shall be payable

8. (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 processing;
 - be payable by the importer of all pomegranates imported; and
 - Be payable by all local agents of pomegranates.
- (2) A levy imposed under clause 5 shall be payable to POMASA in accordance with clause 8.

Payment of levy

9. (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 an electronic transfer in favour of POMASA, and shall when electronically transferred, be paid to the bank account obtainable from POMASA on request.

Commencement and period of validity

10. This statutory measure shall come into operation on the date of publication hereof and will lapse four (4) years later.