

No. R. 994

26 October 2007

**MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT NO. 47 OF 1996)**

**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION BY ABATTOIRS AND
EXPORTERS OF LIVE PIGS**

I, Lulama Xingwana, Minister of Agriculture, acting under sections 10, 13 and 14 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule.

LULAMA XINGWANA
MINISTER OF AGRICULTURE

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 indicates otherwise –

“abattoir” means a slaughter facility as defined in section 1 of the Meat Safety Act, 2000 (Act No. 40 of 2000), save for those facilities that have been excluded¹ by the levy administrator after application to the levy administrator as provided for in the these regulations

“levy administrator” means the juristic person entrusted with the implementation, administration and enforcement of the statutory measure established under these Regulations, and identified in regulation 9 of the Schedule;

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

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

2. The purpose and aims of this statutory measure is to compel abattoirs slaughtering pigs to register with the levy administrator. This is necessary to ensure that continuous, timeous and accurate market information relating to pigs slaughtered and marketed is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions.

The establishment of the statutory measure should assist in promoting the efficiency of the marketing of pork. The viability of the pork industry should thus be enhanced.

The measure is not detrimental to any of the objectives of the Act and, in particular, shall not be detrimental to the number of employment opportunities or fair labour practice in the pork industry.

Confidential information of any person subject to this statutory measure obtained by the levy administrator through the implementation, administration and enforcement of this statutory measure shall be dealt with in accordance with section 23(2) of the Act.

The measure shall be administered by the levy administrator.

Product to which the statutory measure shall apply

3. This statutory measure shall apply to –
- (a) pigs slaughtered by abattoirs for commercial use other than for own consumption, and
 - (b) pigs exported live

Area in which statutory measure shall apply

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

Registration and enforcement

5. (1) Abattoirs slaughtering pigs for commercial use other than own consumption and exporters of live pigs shall on an annual basis register and re-register with the levy administrator.
- (2) Registration shall be done immediately upon receipt of a registration form obtainable free of charge for this purpose from the levy administrator, and shall –
- a) be submitted, when forwarded by mail, to
The Levy Administrator
PO Box 36802

MENLO PARK

0102

b) When sent by telefax, be addressed to 012 361 6004.

- (3) Any abattoir as defined in the levy notice may apply to the levy administrator for exemption from the provisions of clause 5(1) and 5(2) of these regulations on the grounds that it is a welfare organisation as defined in terms of section 1 of the Value Added Tax Act, 1998 (Act no 89 of 1998).
- (4) The implementation, administration and enforcement of the statutory measure established in terms of these Regulations are entrusted to the levy administrator in terms of section 14 of the Act.

Commencement and period of validity

6. This statutory measure shall come into operation on 1 November 2007 and lapses on 31 October 2010.