

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 3191

24 March 2023

**MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No. 47 of 1996)****ESTABLISHMENT OF LEVY AND DETERMINATION OF GUIDELINE PRICES: LEVIES
RELATING TO IMPORTED MEAT AND POULTRY**

I, Angela Thokozile Didiza, Minister of Agriculture, Land Reform and Rural Development, acting under sections 10, 13, 14, and 15 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the attached Schedule.


MRS AT DIDIZA, MLP**MINISTER OF AGRICULTURE, LAND REFORM, AND RURAL DEVELOPMENT**

SCHEDULE

1. DEFINITIONS

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 –

“Authorised official” means any official in the employment of SARS overseeing the importation of goods into the Republic of South Africa including any border official or official involved in Custom and Excise duties;

“DALRRD” means the National Department of Agriculture, Land Reform, and Rural Development;

“Importer” means any person intending to or that has imported meat or poultry meat and/or products into the Republic of South Africa;

“Import permit” means an import permit issued under the Meat Safety Act 2000 (Act No .35 of 1984) by or on behalf of DALRRD;

“Issuing officer” means a person authorised to issue a permit for the import of red Meat and red meat products or poultry meat or poultry products under the Animal Disease Act, 1984 (Act No. 35 of 1984);

“Levy Administrator” means the Association of Meat Importers and Exporters, the juristic person with the implementation, administration, and enforcement of the statutory levy established in this notice;

“Person” includes natural and juristic persons, partnerships, trusts, associations, co-operatives, and any other bodies, institutions, or establishments, whether incorporated or not;

“Poultry meat” means any carcass or part of a slaughtered and skinned poultry bird fresh or frozen;

“Meat” means any carcass or part of a slaughtered and skinned designated animal fresh or frozen which has not undergone any processing other than deboning, portioning, dicing, mincing, cooling, or freezing;

“MDM” means Mechanically Deboned Meat;

“SARS” means the South African Revenue Services;

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

2. PURPOSE AND AIMS OF THE STATUTORY MEASURE

This statutory measure is required by the meat importing industry to finance the following functions, namely -

- (a) Transformation in the import and export of the meat sector;
- (b) Development and retention of markets including export promotion of SA Beef, Pork, Lamb, and Poultry;
- (c) Research and Development/ Consumer Education;
- (d) Quality Control and Consumer Assurance; and
- (e) Administration and operations.

The levy 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 meat importing industry.

This statutory measure shall be administered by the levy administrator, who may appoint another service provider if and when necessary to assist them with the collection of the statutory levy. The latter shall act in terms of the mandate and on behalf of the Association of Meat Importers and Exporters.

This statutory measure is necessary to finance the above-mentioned functions and the levy shall be utilised in accordance with the levy application. The Auditor-General shall also be responsible for auditing the statutory levies collected.

3. EMPLOYMENT OF STATUTORY LEVIES

It is hereby determined that in respect of levies collected –

- a) approximately 70% of the funds shall be used for functions relating to the development and retention of markets including export promotion of SA Beef, Pork, Lamb, and Poultry; research and development/ consumer education and assurance; quality control and consumer assurance;
- b) at least 20% of the funds shall be used for business development (transformation); and
- c) not more than 10% of the funds shall be used for corporate governance (administration cost).

4. PRODUCT TO WHICH THE STATUTORY MEASURE APPLIES

This statutory measure shall apply to all beef, lamb, pork, poultry meat, and MDM imported into South Africa.

5. AREA IN WHICH STATUTORY MEASURE APPLIES

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

6. DETERMINATION OF GUIDELINE PRICE

The guideline price is determined as follows:

- a) Beef imported average price R22,61 per kg.
- b) Pork imported average price R33.12 per kg.
- c) Lamb imported average price R32.39 per kg.
- d) Poultry meat average price R20.00 per kg.
- e) MDM average price R12.00 per kg.

7. IMPOSITION OF THE LEVY

A levy on imported meat, poultry meat, and MDM imported is hereby imposed as follows:

Imported meat and poultry products	Proposed new levy (Excluding VAT)			
	2023/24	2024/25*	2025/26*	2026/27*
Levy	1c/kg	1,05c/kg	1,10c/kg	1,15c/kg

*Escalation of 5% from second year of the four-year statutory levy period

The levy is payable to the Levy Administrator prior to being issued with an import permit. The levy receipt number is to be submitted with the permit application to the issuing officer.

8. PERSONS BY WHOM LEVY IS PAYABLE

The levy imposed in terms of this notice shall be payable by the importer of meat, poultry meat, and MDM to the Levy Administrator prior to the issuance of an import permit.

9. PAYMENT AND ENFORCEMENT OF LEVY

(1) The levy shall be paid to the Levy Administrator. Payments shall be made by means of an electronic bank transfer to the account number obtainable from the levy administrator.

(2) The implementation, administration, and enforcement of the statutory measure established in this regulation are entrusted to the Levy Administrator in terms of sections 14 and 15 of the Act.

10. COMMENCEMENT AND PERIOD OF VALIDITY

This statutory measure shall come into effect on the date of publication and will lapse four years later.

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 3192

24 March 2023

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

**ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS BY
IMPORTERS OF MEAT, POULTRY MEAT AND MECHANICALLY DEBONED MEAT**

I, Angela Thoko Didiza, Minister of Agriculture, Land Reform and Rural Development, acting under sections 10, 13, 14 and 18 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule hereto.


MRS AT DIDIZA, MLP

MINISTER OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

SCHEDULE

1. DEFINITIONS

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 –

“Levy notice” means any notice whereby a levy is imposed on imported meat, poultry meat and Mechanically Deboned Meat (MDM) in terms of the Act.

“Levy Administrator” means the Association of Meat Importers and Exporters, the juristic person entrusted with the implementation, administration and enforcement of the statutory measure under this regulation;

“MDM” means Mechanically Deboned Meat; and

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

2. PURPOSE AND AIM OF THIS STATUTORY MEASURE AND THE RELATION THEREOF TO THE OBJECTIVES OF THE ACT

The purpose and aim of this statutory measure are to compel importers of meat, poultry meat and MDM to render records and returns to the levy administrator. This is necessary to ensure that continuous, timeous and accurate information relating to meat imported 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. By prescribing the keeping of records with the rendering of returns on an individual basis, market information for the

whole of the industry can be processed and disseminated. The establishment of the statutory measure should assist in promoting the efficiency of the marketing of red meat, poultry meat and MDM. The viability of the meat importing 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 meat importing 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 who may appoint other service providers if and when necessary to assist them with the administration of the statutory measure. The latter shall act in terms of the mandate and on behalf of the Association of Meat Importers and Exporters.

3. PRODUCTS TO WHICH THE STATUTORY MEASURE APPLIES

This statutory measure shall apply to all importers of meat, poultry meat and MDM.

4. AREA IN WHICH STATUTORY MEASURE SHALL APPLY

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

5. RECORDS TO BE KEPT, RETURNS TO BE RENDERED AND THE ENFORCEMENT THEREOF

- (1) Importers of red meat, poultry meat and MDM shall keep such records and render the returns as may be required by the Levy Administrator.
- (2) The records referred to in sub-clause (1) shall –
 - a) be recorded on a computer or with ink in a book; and
 - b) be kept at the registered premises of the person required to keep such records for a period of at least three years.
- (3) The returns referred to in sub-clause (1) shall be rendered on a form obtainable free of charge for this purpose from the Levy Administrator, and shall –
 - a) be submitted, when forwarded by post, to the Levy Administrator; and
 - b) when sent by email, to the levy administrator.
- (4) The implementation, administration and enforcement of the statutory measure established in this Regulation is entrusted to the Levy Administrator in terms of sections 14 and 18 of the Act.

6. COMMENCEMENT AND PERIOD OF VALIDITY

This statutory measure shall come into effect on the date of publication and will lapse four years later.