

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 2182

24 June 2022

**MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No. 47 of 1996)****CONTINUATION OF STATUTORY MEASURE: REGISTRATION BY ABATTOIRS AND
EXPORTERS OF LIVE PIGS**

I, Angela Thokozile Didiza, Minister of Agriculture, Land Reform and Rural Development acting under sections 10, 13, 14 and 19 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 –

“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 excluded by the levy administrator after application to the levy administrator as provided for in these regulations;

“levy administrator” means the South African Pork Producers’ Organisation, the juristic person entrusted with the implementation, administration and enforcement of the statutory measure established under this regulation; and

“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 AND THE RELATION THEREOF TO THE OBJECTIVES OF THE ACT

The purpose and aims of this statutory measure are to compel abattoirs slaughtering pigs and exporters of live pigs to register with the levy administrator. This is necessary to ensure that continuous, timeous and accurate market information relating to pigs slaughtered, marketed and live pigs exported, 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 SAPPO who may appoint another service provider 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 South African Pork Producers' Organisation.

3. PRODUCT TO WHICH THE STATUTORY MEASURE SHALL APPLY

This statutory measure shall apply to –

- a) pigs slaughtered by abattoirs for commercial use other than own consumption; and
- b) pigs exported live.

4. AREA IN WHICH STATUTORY MEASURE SHALL APPLY

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

5. REGISTRATION AND ENFORCEMENT

- (1) Any abattoir slaughtering pigs for commercial use other than for 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; and
- b) when sent by email to the levy administrator.

(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 this regulation 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 this Regulation are entrusted to the levy administrator in terms of section 14 of the Act.

6. COMMENCEMENT AND PERIOD OF VALIDITY

This statutory measure shall come into operation on 1 November 2022 and will expire on 31 October 2025.