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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

No. R. 1408

24 December 2001

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

ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF GUIDELINE PRICES : RESEARCH AND DEVELOPMENT LEVY ON GRAPES, GRAPE JUICE CONCENTRATE, DRINKING WINE, DISTILLING WINE AND WINE SPIRIT.

I, Angela Thokozile Didiza, Minister of Agriculture, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby –

- (a) establish the statutory measure set out in the Schedule;
- (b) determine that the guideline price for –
 - (i) grapes shall be R2921,00 per ton;
 - (ii) grape juice concentrate shall be R1,44 per litre at 17.4 degrees Balling;
 - (iii) drinking wine shall be R2,16 per litre;
 - (iv) distilling wine and wine spirit shall be R0,74 per litre at 10 per cent alcohol by volume.



A. T. DIDIZA,

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 otherwise indicates –

"drinking wine" includes grape juice used in the production of drinking wine and drinking wine used in the production of other alcoholic products;

"grapes" means grapes intended for the production of drinking wine or distilling wine;

"grape juice concentrate" means grape juice concentrate intended for use in drinking wine or other alcoholic products;

"SAWIS" means the South African Wine Industry Information and Systems, a company incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973);

"the Act" means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996);

"WINETECH" means the Wine Industry Network of Expertise and Technology;

"wine producer" means any person registered as a wine producer with SAWIS;

"wine spirit" means any spirit derive from wine, wine lees or husks;

"wine trader" means any person registered as a wine trader with SAWIS.

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

2. The objectives of a research and development levy are –
- (a) to support the wine industry with expertise and to enable it to be cost effective in producing quality wines and other grape based products through the application of environmentally friendly technologies;
 - (b) to support the training and education of individuals for the industry, at all levels in terms of skills, knowledge and insight development, in order to ensure the practical implementation of the best knowledge and most advanced technologies in viticulture, wine making and other grape based products;

- (c) to establish a culture of technological innovation, to ensure the ongoing utilization of the best technology within the industry, and to facilitate its dissemination to all the sectors of the industry;
- (d) to facilitate the development of resource-poor and previously disadvantaged producers and to improve their access to the industry by making leading edge appropriate technology available to such producers;
- (e) to establish world leadership in selected niche areas of the wine industry through WINETECH'S network of scientific and technological expertise; and
- (f) to commission relevant and thoroughly planned research, technology development and technology transfer in the promotion of the industry's technological capabilities and in the attainment of the other objectives.

The levy will be collected by SAWIS, who will act on behalf of WINETECH in this regard. WINETECH is the actual beneficiary of the levy who will utilise it in accordance with their business plan.

Products to which statutory measure applies

3. This statutory measure shall apply to grapes, grape juice concentrate, drinking wine, distilling wine and wine spirit.

Area in which statutory measure shall apply

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

Imposition of levy

5. A levy is hereby imposed on –

- (a) grapes;
- (b) grape juice concentrate ;
- (c) drinking wine;
- (d) distilling wine; and
- (e) wine spirit.

Amount of levy

6. The amount of the levy shall –
- (a) in the case of grapes, be R8,40 per ton;
 - (b) in the case of grape juice concentrate, be R0,012 per litre at 17,4 degrees Balling;
 - (c) in the case of drinking wine, be R0,012 per litre;
 - (d) in the case of distilling wine and wine spirit, be R0,01 per litre at 10 per cent alcohol by volume.

Persons by whom and to whom levy shall be payable

7. (1) The levy imposed under clause 5 shall –
- (a) be payable by a wine producer in respect of –
 - (i) drinking wine and wine spirit packaged in containers of 5 litres or less;
 - (ii) wine spirit sold to another wine producer;
 - (iii) wine spirit produced by a wine producer and used for fortification of that wine producer's own drinking wine.
 - (b) be payable by a wine trader in respect of–
 - (i) grapes purchased;
 - (ii) grapes used for production of his or her own drinking wine or distilling wine;
 - (iii) grape juice concentrate, drinking wine, distilling wine and wine spirit, in containers of more than 5 litres, acquired from a wine producer.
- (2) A levy under clause 5 shall be payable to SAWIS in accordance with clause 8.

Payment of levy

8. (1) Payment of the levy shall be made not later than sixty days following the date of delivery of a quantity of grapes, grape juice concentrate, drinking wine, distilling wine or wine spirit sold, purchased or otherwise acquired.

(2) Payment shall be made by means of a cheque or electronic transfer in favour of SAWIS, and shall –

(a) when paid by cheque, be addressed to –

SAWIS
P.O. Box 238
Paarl
7620

(b) when electronically transferred, be paid to the bank account obtainable from SAWIS on request.

Period of validity

9. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 31 October 2005.

No. R. 1408

24 Desember 2001

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET No. 47 VAN 1996)

**INSTELLING VAN STATUTÊRE MAATREËL EN VASSTELLING VAN RIGLYNPRYSE:
NAVORSINGS- EN ONTWIKKELINGSHEFFING OP DRUIWE, DRUIWESAPKONSENTRAAT,
DRINKWYN, DISTILLEERWYN EN WYNSPIRITUS**

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikels 13 en 15 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996) –

- (a) stel hierby die statutêre maatreël in die Bylae uiteengesit, in;
- (b) bepaal die riglynprys vir –
 - (i) druiwe op R2921,00 per ton;
 - (ii) druiwesapkonsentraat op R1,44 per liter teen 17.4 grade Balling;
 - (iii) drinkwyn, op R2,16 per liter;
 - (iv) distilleerwyn en wynspiritus op R0,74 per liter teen 10 persent alkohol per volume.


A. T. DIDIZA,
Minister van Landbou.

BYLAE**Woordomskrywing**

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis, en tensy uit die samehang anders blyk, beteken -

"die Wet", die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No. 47 van 1996);

"drinkwyn", ook druiwesap wat in die produksie van drinkwyn en drinkwyn wat in die produksie van ander alkoholiese gebruik word;

"druife", druiwe bestem vir die produksie van drinkwyn of distilleerwyn;

"druiwesapkonsentraat", druiwesapkonsentraat bestem vir gebruik in wyn of ander alkoholiese produkte;

"SAWIS", die Suid Afrikaanse Wynbedryf-Inligting en -Stelsels, 'n maatskappy ingelyf kragtens artikel 21 van die Maatskappyyewet, 1973 (Wet No. 61 van 1973);

"WINETECH", die Wynbedryf Netwerk van Kundigheid en Tegnologie;

"wynhandelaar", iemand wat by SAWIS as 'n wynhandelaar geregistreer is;

"wynspiritus", enige spiritus verkry van wyn, wynmoer of doppe;

"wynprodusent", iemand wat by SAWIS as 'n wynprodusent geregistreer is.

Doelwitte en oogmerke van statutêre maatreël en die verband daarvan met die oogmerke van die Wet

2. Die doelstellings van 'n navorsings- en ontwikkelingsheffing is -

- (a) om die wynbedryf met kundigheid te steun, en om dit daardeur in staat te stel om koste-effektief te wees in die produksie van gehalte wyn en ander druifbasisprodukte deur die toepassing van omgewingsvriendelike tegnologie;
- (b) om die opleiding en onderrig van individue vir die bedryf te steun, op alle vlakke in terme van kundigheid-, kennis- en insigontwikkeling, ten einde die praktiese implementering van die beste kennis en mees gevorderde tegnologie in wynbou, wynmaak en ander druifbasisprodukte te verseker;

- (c) om 'n kultuur van tegnologiese innovering daar te stel ten einde die deurlopende gebruik van die beste tegnologie in die bedryf te verseker, en die verspreiding daarvan na alle sektore in die bedryf te bevorder;
- (d) om die ontwikkeling van hulpbron-arm en voorheen benadeelde produsente te fasiliteer en hulle toegang tot die bedryf te bevorder deur leidende toepaslike tegnologie tot hulle beskikking te stel;
- (e) om wêreld-leierskap in uitgesoekte niche-areas van die wynbedryf daar te stel deur WINETECH se netwerk van wetenskaplike en tegnologiese kundigheid; en
- (f) om opdrag te gee vir deeglik beplande navorsing, tegnologie-ontwikkeling en tegnologie-oordrag ter bevordering van die bedryf se tegnologiese bekwaamhede en ter bereiking van die ander doelstellings.

Die heffing sal gekollekteer word deur SAWIS wat namens WINETECH in hierdie verband sal optree. WINETECH is die eintlike begunstigde van die heffing wat dit sal aanwend ooreenkomstig hulle besigheidsplan.

Produkke waarop statutêre maatreël van toepassing is

3. Hierdie statutêre maatreël sal van toepassing wees op duiwe, duiwesapkonsentraat, drinkwyn, distilleerwyn en wynspiritus.

Gebied waarin statutêre maatreël van toepassing is

4. Hierdie maatreël sal in die geografiese gebied van die Republiek van Suid-Afrika van toepassing wees.

Oplegging van heffing

5. 'n Heffing word hierby opgelê op –

- (a) duiwe;
- (b) duiwesapkonsentraat ;
- (c) drinkwyn;
- (d) distilleerwyn; en
- (e) wynspiritus.

Bedrag van heffing

6. Die bedrag van die heffing –
- (a) in die geval van druiwe, is R8,40 per ton;
 - (b) in die geval van druiwesapkonsentraat, is R0,012 per liter teen 17,4 grade Balling;
 - (c) in die geval van drinkwyn, is R0,012 per liter;
 - (d) in die geval van distilleerwyn en wynspiritus, is R0,01 per liter teen 10 persent alkohol per volume.

Persone deur wie en aan wie die heffing betaalbaar is

7. (1) Die heffing kragtens klousule 5 opgelê –
- (a) is betaalbaar deur 'n wynprodusent ten opsigte van –
 - (i) drinkwyn en wynspiritus verpak in houers van 5 liter of minder;
 - (ii) wynspiritus aan 'n ander wynprodusent verkoop;
 - (iii) wynspiritus deur 'n wynprodusent geproduseer en gebruik vir die fortifisering van daardie produsent se eie drinkwyn;
 - (b) is betaalbaar deur 'n wynhandelaar ten opsigte van –
 - (i) druiwe aangekoop;
 - (ii) druiwe gebruik in die produksie van sy of haar eie drinkwyn of distilleerwyn;
 - (iii) druiwesapkonsentraat, drinkwyn, distilleerwyn en wynspiritus, in houers van meer as 5 liter, van 'n wynprodusent verkry.
- (2) 'n Heffing kragtens klousule 5 is aan SAWIS betaalbaar ooreenkomstig klousule 8.

Betaling van heffing

8. (1) Betaling van die heffing sal nie later as sestig dae volgende die datum van lewering van 'n hoeveelheid duiwe, duiwesapkonsentraat, drinkwyn, distilleerwyn of wynspiritus verkoop, gekoop of andersins verkry, gemaak word nie.

(2) Betaling sal gemaak word by wyse van 'n tjek of elektroniese oordrag ten gunste van SAWIS, en moet -

(a) wanneer betaal per tjek, geadresseer word aan -

SAWIS
Posbus 238
Paarl
7620

(b) wanneer elektronies oorgedra, betaal word op die bankrekening op versoek verkrygbaar van SAWIS.

Periode van geldigheid

9. Hierdie statutêre maatreël tree in werking op die datum van publikasie hiervan en verval op 31 Oktober 2005.

No. R. 1409

24 December 2001

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996

(ACT No. 47 OF 1996)

**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF GUIDELINE PRICES:
INFORMATION LEVY ON GRAPES, GRAPE JUICE CONCENTRATE AND DRINKING WINE**

I, Angela Thokozile Didiza, Minister of Agriculture, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby –

- (a) establish the statutory measure set out in the Schedule;
- (b) determine that the guideline price for –
 - (i) grapes shall be R2921,00 per ton;
 - (ii) grape juice concentrate shall be R1,44 per litre at 17.4 °B;
 - (iii) drinking wine shall be R2,16 per litre.



A.T. DIDIZA,

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 otherwise indicates –

"drinking wine" includes grape juice used in the production of drinking wine and drinking wine used in the production of other alcoholic products;

"grapes" means grapes intended for the production of drinking wine or distilling wine;

"grape juice concentrate" means grape juice concentrate intended for use in wine or other alcoholic products;

"SAWIS" means the South African Wine Industry Information and Systems, a company incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973);

"the Act" means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996);

"wine producer" means any person registered as a wine producer with SAWIS;

"wine trader" means any person registered as a wine trader with SAWIS.

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

2. The information levy is needed by SAWIS to fund the registration of industry role players, and ensure the collection and dissemination of information.

These measures are necessary to ensure that continuous, timeous and accurate information relating to various products in the wine 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 is a necessity in view of the statutory measures relating to registration and the rendering of returns.

The measure will be administered by SAWIS, a company incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973). SAWIS 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 grapes, grape juice concentrate and drinking wine.

Area in which statutory measure shall apply

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

Imposition of levy

5. A levy is hereby imposed on –
- (a) grapes;
 - (b) grape juice concentrate; and
 - (c) drinking wine;

Amount of levy

6. The amount of the levy shall –
- (a) in the case of grapes, be R6,30 per ton;
 - (b) in the case of grape juice concentrate, be R0,009 per litre at 17,4 degrees Balling;
 - (c) in the case of drinking wine, R0,009 per litre;

Persons by whom and to whom levy shall be payable

7. (1) The levy imposed under clause 5 shall –
- (a) be payable by a wine producer in respect of drinking wine packaged in containers of 5 litres or less.
 - (b) be payable by a wine trader in respect of-
 - (i) grapes;
 - (ii) grape juice concentrate in containers of more than 5 litres, acquired from a wine producer; and

- (iii) drinking wine in containers of more than 5 litres, acquired from a wine producer.

(2) The levy imposed under clause 5 shall be payable to SAWIS in accordance with clause 8.

Payment of levy

8. (1) Payment of the levy shall be made not later than sixty days following the date of delivery of a quantity of grapes, grape juice concentrate or drinking wine sold, purchased or otherwise acquired.

(2) Payment shall be made by means of a cheque or electronic transfer in favour of SAWIS, and shall –

- (a) when paid by cheque, be addressed to –

SAWIS
P.O. Box 238
Paarl
7620

- (b) when electronically transferred, be paid to the bank account obtainable from SAWIS on request.

Period of validity

9. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 31 October 2005.

No. R. 1409

24 Desember 2001

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET No. 47 VAN 1996)

**INSTELLING VAN STATUTÊRE MAATREËL EN VASSTELLING VAN RIGLYNPRYSE :
INLIGTINGSHEFFING OP DRUIWE, DRUIWESAPKONSENTRAAT EN DRINKWYN**

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikels 13 en 15 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996) –

- (a) stel hierby die statutêre maatreël in die Bylae uiteengesit, in;
- (b) bepaal die riglynprys vir –
 - (i) duiwe op R2 921,00 per ton;
 - (ii) duiwesapkonsentraat op R1,44 per liter teen 17.4 °B;
 - (iii) drinkwyn op R2,16 per liter.


A.T. DIDIZA,

Minister van Landbou.

BYLAE**Woordomskrywing**

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis, en tensy uit die samehang anders blyk, beteken -

"die Wet", die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No. 47 van 1996);

"drinkwyn", sluit druiwesap gebruik in die produksie van drinkwyn en drinkwyn gebruik in die produksie van ander alkoholiese produkte, in;

"druive", druiwe bestem vir die produksie van drinkwyn of distilleerwyn;

"druiwesapkonsentraat", druiwesapkonsentraat bestem vir gebruik in wyn of ander alkoholiese produkte;

"SAWIS", die Suid Afrikaanse Wynbedryf-Inligting en -Stelsels, 'n maatskappy ingelyf kragtens artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973);

"wynhandelaar", iemand wat by SAWIS as 'n wynhandelaar geregistreer is;

"wynprodusent", iemand wat by SAWIS as 'n wynprodusent geregistreer is.

Doelwitte en oogmerk van statutêre maatreël en verband daarvan met die oogmerke van die Wet

2. Die inligtingsheffing word deur SAWIS benodig om die registrasie van bedryfsrospelers, en die insameling en verspreiding van inligting te befonds.

Hierdie maatreëls is noodsaaklik om te verseker dat deurlopende en akkurate inligting betreffende verskeie produkte in die wynbedryf betyds aan alle rospelers beskikbaar gestel word ten einde ingeligte besluite te kan neem.

Die maatreël sal nie afbreuk doen aan die aantal werkseleenthede of billike arbeidspraktyke nie en is 'n noodsaaklikheid in die lig van die statutêre maatreëls betreffende registrasie en aantekeninge en opgawes.

Die maatreël sal geadministreer word deur SAWIS, 'n maatskappy ingelyf kragtens artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973). SAWIS sal voortgaan om die maatreël te implementeer en bestuur soos in hierdie Bylae uiteengesit.

Produkte waarop statutêre maatreël van toepassing is

3. Hierdie statutêre maatreël sal van toepassing wees op duiwe, duiwesapkonsentraat en drinkwyn.

Gebied waarin statutêre maatreël van toepassing sal wees

4. Hierdie statutêre maatreël sal in die geografiese gebied van die Republiek van Suid-Afrika van toepassing wees.

Oplegging van heffing

5. 'n Heffing word hierby opgelê op –

- (a) duiwe;
- (b) duiwesapkonsentraat; en
- (c) drinkwyn;

Bedrag van heffing

6. Die bedrag van die heffing –

- (a) in die geval van duiwe, is R6,30 per ton;
- (b) in die geval van duiwesapkonsentraat, is R0,009 per liter teen 17,4 grade Balling;
- (c) in die geval van drinkwyn, is R0,009 per liter.

Persone deur wie en aan wie die heffing betaalbaar is

7. (1) Die heffing kragtens klousule 5 –

- (a) is betaalbaar deur 'n wynprodusent ten opsigte van drinkwyn verpak in houers van 5 liter of minder;
- (b) is betaalbaar deur 'n wynhandelaar ten opsigte van –
 - (i) duiwe;
 - (ii) duiwesapkonsentraat, in houers van meer as 5 liter, van 'n wynprodusent verkry; en

(iii) drinkwyn, in houers van meer as 5 liter, van 'n wynprodusent verkry.

(2) Die heffing opgelê kragtens klousule 5 is aan SAWIS betaalbaar ooreenkomstig klousule 8.

Betaling van heffing

8. (1) Betaling van die heffing sal nie later as sestig dae volgende die datum van lewering van 'n hoeveelheid duiwe, duiwesapkonsentraat of drinkwyn verkoop, gekoop of andersins verkry, gemaak word nie.

(2) Betaling sal gemaak word by wyse van 'n tjek of elektroniese oordrag ten gunste van SAWIS, en moet -

(a) wanneer betaal per tjek, geadresseer word aan -

SAWIS
Posbus 238
Paarl
7620

(b) wanneer elektronies oorgedra, betaal word op die bankrekening op versoek verkrygbaar van SAWIS.

Periode van geldigheid

9. Hierdie statutêre maatreël tree in werking op die datum van publikasie hiervan en verval op 31 Oktober 2005.

No. R. 1410

24 December 2001

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996

(ACT No. 47 OF 1996)

**ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS RELATING
TO VINES, GRAPES, GRAPE JUICE, GRAPE JUICE CONCENTRATE, DRINKING WINE,
DISTILLING WINE AND WINE SPIRIT**

I, Angela Thokozile Didiza, Minister of Agriculture, acting under sections 13 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.


A. T. DIDIZA,

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 otherwise indicates –

"bottler" means any person who renders services in respect of bottling, stabilising, blending, filtering, labeling or storage on behalf of wine producers or wine traders, but is not registered as such;

"Department" means the Department of Agriculture of the National Government;

"drinking wine" includes grape juice and grape juice concentrate used in the production of drinking wine and drinking wine used in the production of other alcoholic products;

"grapes" means grapes intended for the production of drinking wine or distilling wine;

"grape producer" means any producer of grapes intended for the production of drinking wine or distilling wine;

"in bulk" means a container of more than five litres;

"SAWIS" means the South African Wine Industry Information and Systems, a company incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973);

"vines" means vines intended for the production of grapes;

"wine exporter" means any person not registered as a wine producer or wine trader, who exports drinking wine;

"wine producer" means any person who crushes grapes and who is not registered as a wine trader;

"wine spirit" means any spirit derived from wine, wine lees or husks;

"wine trader" means any person not registered as a wine producer who purchases or otherwise acquires -

- (a) grapes;
- (b) drinking wine, distilling wine or wine spirit, in bulk from a wine producer.

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

2. The purpose and aims of this statutory measure is to compel the parties set out herein to keep records and render returns to SAWIS. This is necessary to ensure that continuous, timeous and accurate information relating to the products defined, 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 measure should assist in promoting the efficiency of the marketing of products. The viability of the wine industry should thus be enhanced. The measure will not be detrimental to the number of employment opportunities or fair labour practice. Any information obtained will be dealt with in a confidential manner and no sensitive or potentially sensitive client-specific information will be made available to any party without the prior approval of the party whose rights are affected.

The measure will be administered by SAWIS, a company incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973). SAWIS 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 vines, grapes, grape juice, grape juice concentrate, drinking wine, distilling wine and wine spirit.

Area in which statutory measure shall apply

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

Records to be kept and returns to be rendered

5. (1) All bottlers, grape producers, wine exporters, wine producers and wine traders shall keep such records and render the returns as may be required by SAWIS relating to -

- (a) vines;
- (b) grapes;
- (c) grape juice, grape juice concentrate, drinking wine, distilling wine and wine spirit produced, received, stored, sold, exported or otherwise utilised.

(2) The Department shall render a copy of all export documents required by SAWIS or furnish the information required by SAWIS contained in such export documents within the period specified in subclause (4).

(3) The records referred to in subclause (1) shall –

- (a) be recorded on a computer or with ink in a book;
- (b) be kept at the registered premises of the person required to keep it for a period of at least three years.

(4) The returns referred to in subclause (1) shall be rendered on forms obtainable free of charge for this purpose from SAWIS within 15 days after the end of each calendar month and shall –

- (a) be submitted, when forwarded by post, to –

SAWIS
P.O. Box 238
Paarl
7620

- (b) when delivered by hand, be delivered to –

SAWIS
312 Main Road
Paarl

- (c) when sent by telefax, be addressed to—

(021) 8711360

Period of validity

6. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 31 October 2005.

No. R. 1410

24 Desember 2001

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET No. 47 VAN 1996)

**INSTELLING VAN STATUTÊRE MAATREËL: AANTEKENINGE EN OPGAWES
BETREFFENDE WINGERD, DRUIWE, DRUIWESAP, DRUIWESAPKONSENTRAAT,
DRINKWYN, DISTILLEERWYN EN WYNSPIRITUS**

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikels 13 en 18 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996), stel hierby die statutêre maatreeël in die Bylae uiteengesit, in.



A. T. DIDIZA,

Minister van Landbou.

BYLAE**Woordomskrywing**

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis, en tensy uit die samehang anders blyk, beteken -

"botteleerder", 'n persoon wat dienste ten opsigte van bottelering, vermenging, filtrering, etikettering of opberging van wyn ten behoeve van wynprodusente of wynhandelaars verskaf, maar nie as sulks geregistreer is nie;

"Departement", die Departement van Landbou in die Nasionale Regering;

"drinkwyn", sluit duiwesap en duiwesapkonsentraat gebruik in die produksie van drinkwyn en drinkwyn gebruik in die produksie van ander alkoholiese produkte, in;

"druife", druife bestem vir die produksie van drinkwyn of distilleerwyn;

"druifprodusent", 'n produsent van druife bestem vir die produksie van drinkwyn of distilleerwyn;

"in massa", 'n houer van meer as vyf liter;

"SAWIS", die Suid Afrikaanse Wynbedryf-Inligting en -Stelsels, 'n maatskappy ingelyf kragtens artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973);

"wingerd", wingerd bestem vir die produksie van druife;

"wynhandelaar", 'n persoon nie as 'n wynprodusent geregistreer nie, wat -

(a) druife;

(b) drinkwyn, distilleerwyn of wynspiritus in massa,

van 'n wynprodusent aankoop of andersins verkry.

"wynprodusent", 'n persoon wat druife pars en nie as 'n wynhandelaar geregistreer is nie;

"wynspiritus", enige spiritus verkry van wyn, wynmoer of doppe;

"wynuitvoerder", 'n persoon wat drinkwyn uitvoer en nie as 'n wynprodusent of wynhandelaar geregistreer is nie.

Doelwitte en oogmerk van statutêre maatreël en die verband daarvan met die oogmerke van die Wet

2. Die doel en oogmerk van hierdie statutêre maatreël is om die partye hierin uiteengesit, te verplig om aantekeninge te hou en opgawes aan SAWIS te verskaf. Dit is noodsaaklik om te verseker dat deurlopende en akkurate inligting betreffende die produkte soos gedefinieer, betyds aan alle rolspelers beskikbaar gestel word. Markinligting word as noodsaaklik vir alle rolspelers beskou ten einde ingeligte besluite te kan neem. Deur die hou van inligting en die verskaffing van opgawes op 'n individuele basis voor te skryf, kan markinligting vir die hele bedryf prosesseer en versprei word.

Die instelling van die maatreël behoort die effektiwiteit van die bemarking van produkte aan te help. Die lewensvatbaarheid van die bedryf word dus bevorder. Die maatreël sal nie afbreuk doen aan die aantal werkseleenthede of billike arbeidspraktyke nie. Enige inligting verkry, sal op 'n vertroulike manier hanteer word en geen sensitiewe of potensieel sensitiewe kliënt-spesifieke inligting sal aan enigeen bekend gemaak word sonder die voorafgaande goedkeuring van die party wie se regte geaffekteer word nie.

Die maatreël sal geadministreer word deur SAWIS, 'n maatskappy ingelyf kragtens artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973). SAWIS sal die maatreël implementeer en bestuur soos in hierdie Bylae uiteengesit.

Produkte waarop statutêre maatreël van toepassing is

3. Hierdie statutêre maatreël sal van toepassing wees op wingerd, duiwe, duiwesap, duiwesapkonsentraat, drinkwyn, distilleerwyn en wynspiritus.

Gebied waarin statutêre maatreël van toepassing sal wees

4. Hierdie statutêre maatreël sal in die geografiese gebied van die Republiek van Suid-Afrika van toepassing wees.

Aantekeninge wat gehou en opgawes wat verskaf moet word

5. (1) Alle botfleeleers, druifprodusente, wynuitvoerders, wynprodusente en wynhandelaars moet sodanige aantekeninge hou en opgawes verskaf as wat SAWIS mag verlang betreffende –

- (a) wingerd;
- (b) druive;
- (c) druwesap, druwesapkonsentraat, drinkwyn, distilleerwyn en wynspiritus geproduseer, ontvang, opgeberg, verkoop, uitgevoer of andersins aangewend.

(2) Die Departement moet 'n kopie van alle uitvoerdokumente wat SAWIS verlang of die inligting wat SAWIS verlang wat in sodanige uitvoerdokumente vervat is, binne die tydperk in subklousule (4) voorgeskryf, aan SAWIS verskaf.

(3) Die aantekeninge in subklousule (1) bedoel, moet –

- (a) gehou word op 'n rekenaar of in ink in 'n boek;
- (b) moet gehou word by die geregistreerde perseel van die persoon van wie dit verlang word om dit te hou, vir ten minste drie jaar.

(4) Die opgawes in subklousule (1) na verwys, moet verskaf word op die vorms wat gratis vir hierdie doel van SAWIS beskikbaar is binne 15 dae na die einde van elke kalendermaand, en moet –

- (a) voorgelê word, indien per pos gestuur, aan –

SAWIS
Posbus 238
Paarl
7620

- (b) indien per hand ingedien, afgelewer word te –

SAWIS
Hoofstraat 312
Paarl

- (c) wanneer per telefaks gestuur, gestuur word na –

(021) 8711360

Periode van geldigheid

6. Hierdie statutêre maatregel tree in werking op die datum van publikasie hiervan en verval op 31 Oktober 2005.

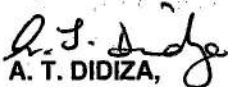
No. R. 1411

24 December 2001

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

**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF BOTTLERS,
GRAPE PRODUCERS, WINE EXPORTERS, WINE PRODUCERS AND WINE TRADERS**

I, Angela Thokozile Didiza, Minister of Agriculture, acting under sections 13 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.



A. T. DIDIZA,

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 otherwise indicates –

“bottler” means any person who renders services in respect of bottling, stabilising, blending, filtering, labelling or storage on behalf of wine producers or wine traders, but is not registered as such;

“grapes” means grapes intended for the production of drinking wine or distilling wine;

“grape juice” means grape juice and grape juice concentrate intended for use in drinking wine or other alcoholic products;

“grape producer” means any producer of grapes intended for the production of drinking wine or distilling wine;

“in bulk” means a container of more than five litres;

“SAWIS” means the South African Wine Industry Information and Systems, a company incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973);

“wine exporter” means any person who export drinking wine who is not registered as a wine producer or wine trader;

“wine producer” means any person who crushes grapes and who is not registered as a wine trader;

“wine spirit” means any spirit derived from wine, wine lees or husks;

“wine trader” means any person not registered as a wine producer who purchases or otherwise acquires –

(a) grapes;

(b) drinking wine, distilling wine or wine spirit, in bulk from a wine producer.

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

2. The purpose and aims of this statutory measure is to compel the parties set out herein to register with SAWIS. Registration is necessary to assist SAWIS in ensuring that continuous, timeous and accurate information relating to the products defined, is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions. By combining compulsory registration with the keeping of information and the rendering of returns on an individual basis, market information for the whole of the industry can be processed and disseminated and will form the basis for the collection of levies.

The establishment of the measure should assist in promoting the efficiency of the marketing of products. The viability of the wine industry should thus be enhanced. The measure will not be detrimental to the number of employment opportunities or fair labour practice.

It will be administered by SAWIS, a company incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973). SAWIS 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 grapes, grape juice, drinking wine, distilling wine and wine spirit.

Area in which statutory measure shall apply

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

Registration of parties concerned

5. (1) All bottlers, grape producers, grape juice producers, wine exporters, wine producers and wine traders shall register with SAWIS.

(2) A person shall have a choice to register as either a wine producer or wine trader, but not both.

(3) A person who is a grape producer as well as a wine producer or wine trader shall register as a grape producer and as a wine producer or wine trader.

Application for registration

6. Application for registration shall –

- (a) be made within 30 days of becoming a party as contemplated in clause 5;
- (b) be made on the application form obtainable free of charge from SAWIS;
- (c) be submitted, when forwarded by post, to –

SAWIS
P.O. Box 238
Paarl
7620

- (d) when delivered by hand, be delivered to –

SAWIS
312 Main Road
Paarl

- (e) when sent by telefax, be addressed to—

(021) 8711360

Period of validity

7. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 31 October 2005.

No. R. 1411

24 Desember 2001

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996

(WET No. 47 VAN 1996)

**INSTELLING VAN STATUTÊRE MAATREËL: REGISTRASIE VAN BOTTELEERDERS,
DRUIFPRODUSENTE, WYNUITVOERDERS, WYNPRODUSENTE EN WYNHANDELAARS**

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikels 13 en 19 van die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No. 47 van 1996), stel hierby die statutêre maatreël in die Bylae uiteengesit, in.


A. T. DIDIZA,
Minister van Landbou.

BYLAE**Woordomskrywing**

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis, en tensy uit die samehang anders blyk, beteken -

"botteleerder", 'n persoon wat dienste ten opsigte van bottelering, vermenging, filtrering, etikettering of opberging van wyn ten behoeve van wynprodusente of wynhandelaars verskaf, maar nie as sulks geregistreer is nie;

"druife", druiwe bestem vir die produksie van drinkwyn of distilleerwyn;

"druiwesap", druiwesap of druiwesapkonsentraat bestem vir gebruik in drinkwyn of ander alkoholiese produkte;

"druifprodusent", 'n produsent van druiwe bestem vir die produksie van drinkwyn of distilleerwyn;

"in massa", 'n houer van meer as vyf liter;

"SAWIS", die Suid Afrikaanse Wynbedryf-Inligting en -Stelsels, 'n maatskappy ingelyf kragtens artikel 21 van die Maatskappyyewet, 1973 (Wet No. 61 van 1973);

"wynhandelaar", 'n persoon nie as 'n wynprodusent geregistreer nie, wat-

(a) druiwe;

(b) drinkwyn, distilleerwyn of wynspiritus in massa;

van 'n wynprodusent aankoop of andersins verkry.

"wynprodusent", 'n persoon wat druiwe pars en nie as 'n wynhandelaar geregistreer is nie;

"wynuitvoerder", 'n persoon wat drinkwyn uitvoer en nie as 'n wynprodusent of wynhandelaar geregistreer is nie.

Doelwitte en oogmerke van statutêre maatreël en die verband daarvan met die oogmerke van die Wet

2. Die doel en oogmerk van hierdie statutêre maatreël is om die partye hierin uiteengesit, te verplig om by SAWIS te registreer. Registrasie is noodsaaklik om SAWIS behulpsaam te wees om te verseker dat deurlopende en akkurate inligting betreffende die produkte soos gedefinieer, betyds aan alle rolspelers beskikbaar gestel word. Markinligting word as noodsaaklik vir alle rolspelers beskou ten einde ingeligte besluite te kan neem. Deur verpligte registrasie met die hou van inligting en verskaffing van opgawes op 'n individuele basis, te kombineer, kan markinligting vir die hele bedryf geprosesseer en versprei word en vorm dit die basis vir die insameling van heffings.

Die instelling van die maatreël behoort die effektiwiteit van die bemaking van produkte aan te help. Die lewensvatbaarheid van die bedryf word dus bevorder. Die maatreël sal nie afbreuk doen aan die aantal werkseleenthede of billike arbeidspraktyke nie.

Die maatreël sal geadministreer word deur SAWIS, 'n maatskappy ingelyf kragtens artikel 21 van die Maatskappyyewet, 1973 (Wet No. 61 van 1973). SAWIS sal die maatreël implementeer en bestuur soos in hierdie Bylae uiteengesit.

Produkte waarop statutêre maatreël van toepassing is

3. Hierdie statutêre maatreël sal van toepassing wees op duiwe, duiwesap, drinkwyn, distilleerwyn en wynspiritus.

Gebied waarin statutêre maatreël van toepassing sal wees

4. Hierdie statutêre maatreël sal in die geografiese gebied van die Republiek van Suid-Afrika van toepassing wees.

Registrasie van betrokke partye

5. (1) Alle botteleerders, druifprodusente, duiwesapprodusente, wynhandelaars, wynprodusente en wynuitvoerders moet by SAWIS registreer.

(2) Persone het die keuse om as of 'n wynhandelaar of 'n wynprodusent te registreer, maar nie albei nie.

(3) Iemand wat 'n druifprodusent sowel as 'n wynprodusent of wynhandelaar is, moet as 'n druifprodusent en as 'n wynprodusent of wynhandelaar registreer.

Aansoek om registrasie

6. Aansoek om registrasie moet –

- (a) binne 30 dae nadat iemand 'n party geword het soos in klousule 5 beoog, gedoen word;
- (b) gedoen word op die aansoekvorm wat gratis van SAWIS vir hierdie doel verkrygbaar is;
- (c) voorgelê word, indien per pos gestuur, aan –

SAWIS

Posbus 238

Paarl

7620

- (d) indien per hand ingedien, afgelewer word te –

SAWIS

Hoofstraat 312

Paarl

- (e) wanneer per telefaks gestuur, gestuur word na –

(021) 8711360

Periode van geldigheid

7. Hierdie statutêre maatregel tree in werking op die datum van publikasie hiervan en verval op 31 Oktober 2005.

No. R. 1412

24 December 2001

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

ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION
OF GUIDELINE PRICES: WINE EXPORT GENERIC PROMOTION LEVY ON EXPORT WINE

I, Angela Thokozile Didiza, Minister of Agriculture, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby –

- (a) establish the statutory measure set out in the Schedule;
- (b) determine that the guideline price for export wine shall be R2,16 per litre;


A.T. DIDIZA,
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 otherwise indicates –

"export wine" means drinking wine exported from the Republic of South Africa;

"in bulk" means a container of more than 5 litres;

"SAWIS" means the South African Wine Industry Information and Systems, a company incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973);

"SAWSEA" means the South African Wine and Spirit Exporters' Association operating as "Wines of South Africa (WOSA)";

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

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

2. The objective of a levy on the export of wine aims at increasing the profit margin for the industry for each focus market.

This promotion will enhance the image of South Africa as a quality wine producer and increase opportunities for growth in new markets. It will assist South Africa to remain competitive in the global market place. In addition, it will assist in capacity building among all exporters, in particular SMMEs and BEEs.

The levy will be collected by SAWIS, who will act on behalf of SAWSEA in this regard. SAWSEA is the actual beneficiary of the levy who will utilise it in accordance with their business plan.

Products to which statutory measure applies

3. This statutory measure shall apply to export wine.

Area in which statutory 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 export wine.

Amount of levy

6. The amount of the levy shall -
- (a) in the case of export wine in bulk, be R 0,05 per litre; and
 - (b) otherwise, be R 0,07 per litre.

Persons by whom and to whom levy shall be payable

7. (1) The levy imposed under clause 5 shall be paid by the exporter.
- (2) The levy imposed under clause 5 shall be payable to SAWIS, acting on behalf of SAWSEA, in accordance with clause 8.

Payment of levy

8. (1) Payment of the levy shall be made not later than 60 days following the date of export.
- (2) Payment shall be made by means of a cheque or electronic transfer in favour of SAWIS, and shall -
- (a) when paid by cheque, be addressed to -

SAWIS
P.O. Box 238
Paarl
7620

- (b) when electronically transferred, be paid to the bank account obtainable from SAWIS on request.

Exemption

9. SAWSEA may, in accordance with criteria determined by it, grant exemption from the payment of the levy for a consignment of wine exported if satisfied that such exemption will not frustrate the purpose and aims of this statutory measure.

Period of validity

10. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 31 October 2005.

No. R. 1412

24 Desember 2001

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996

(WET No. 47 VAN 1996)

INSTELLING VAN STATUTÊRE MAATREËL EN VASSTELLING VAN RIGLYNPRYSE:**WYNUITVOER GENERIESE BEVORDERINGSHEFFING OP UITVOERWYN**

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikels 13 en 15 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996) –

- (a) stel hierby die statutêre maatreël in die Bylae uiteengesit, in;
- (b) bepaal die riglynprys vir uitvoerwyn op R2,16 per liter.



A.T. DIDIZA,

Minister van Landbou.

BYLAE**Woordomskrywing**

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis, en tensy uit die samehang anders blyk, beteken -

"die Wet", die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No. 47 van 1996);

"in massa", 'n houer van meer as vyf liter;

"SAWIS", die Suid Afrikaanse Wynbedryf-Inligting en -Stelsels, 'n maatskappy ingelyf kragtens artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973);

"SAWSEA", die "South African Wine and Spirit Exporters' Association" wat opereer as "Wines of South Africa (WOSA)";

"uitvoerwyn", drinkwyn uitgevoer uit die Republiek van Suid-Afrika.

Doel en oogmerk van statutêre maatreël en die verband daarvan met die oogmerke van die Wet

2. Die doel vir 'n heffing op die uitvoer van wyn is om die winsmarge vir die bedryf in elke teikenmark te verhoog.

Hierdie bevordering sal die aansien van Suid-Afrika as 'n gehalte wynprodusent verhoog en geleenthede vir groei in nuwe markte bevorder. Dit sal Suid-Afrika help om kompetender te bly in die wêreldmark. Dit sal ook help om kapasiteit te bou onder alle uitvoerders, veral KMMO's en SEB's.

Die heffing sal gekollekteer word deur SAWIS wat namens SAWSEA in hierdie verband sal optree. SAWSEA is die eintlike begunstigde van die heffing wat dit sal aanwend ooreenkomstig hulle besigheidsplan.

Produkte waarop statutêre maatreël van toepassing is

3. Hierdie statutêre maatreël sal van toepassing wees op uitvoerwyn.

Gebied waarin statutêre maatreël van toepassing sal wees

4. Hierdie statutêre maatreël sal in die geografiese gebied van die Republiek van Suid-Afrika van toepassing wees.

Oplegging van heffing

5. 'n Heffing word hierby opgelê op uitvoerwyn.

Bedrag van heffing

6. Die bedrag van die heffing –
- (a) in die geval van uitvoerwyn in massa, is R0,05 per liter; en
 - (b) andersins, is R0,07 per liter.

Persone deur wie en aan wie die heffing betaalbaar is

7. (1) Die heffing kragtens klousule 5 opgelê is betaalbaar deur die uitvoerder.
- (2) 'n Heffing kragtens klousule 5 opgelê is aan SAWIS, betaalbaar ooreenkomstig klousule 8.

Betaling van heffing

8. (1) Betaling van die heffing sal nie later as sestig dae volgende die datum van uitvoer, gemaak word nie.
- (2) Betaling sal gemaak word by wyse van 'n tjek of elektroniese oordrag ten gunste van SAWIS, en moet –
- (a) wanneer betaal per tjek, geadresseer word aan –
SAWIS
Posbus 238
Paarl
7620

- (b) wanneer elektronies oorgedra, betaal word op die bankrekening op versoek verkrygbaar van SAWIS.

Vrystelling

9. SAWSEA mag, ooreenkomstig kriteria deur hom bepaal, vrystelling verleen van betaling van die heffing vir 'n besending wyn uitgevoer, indien tevrede is dat sodanige vrystelling nie die doel en oogmerke van hierdie statutêre maatreël sal verydel nie.

Periode van geldigheid

10. Hierdie statutêre maatreël tree in werking op die datum van publikasie hiervan en verval op 31 Oktober 2005.
-

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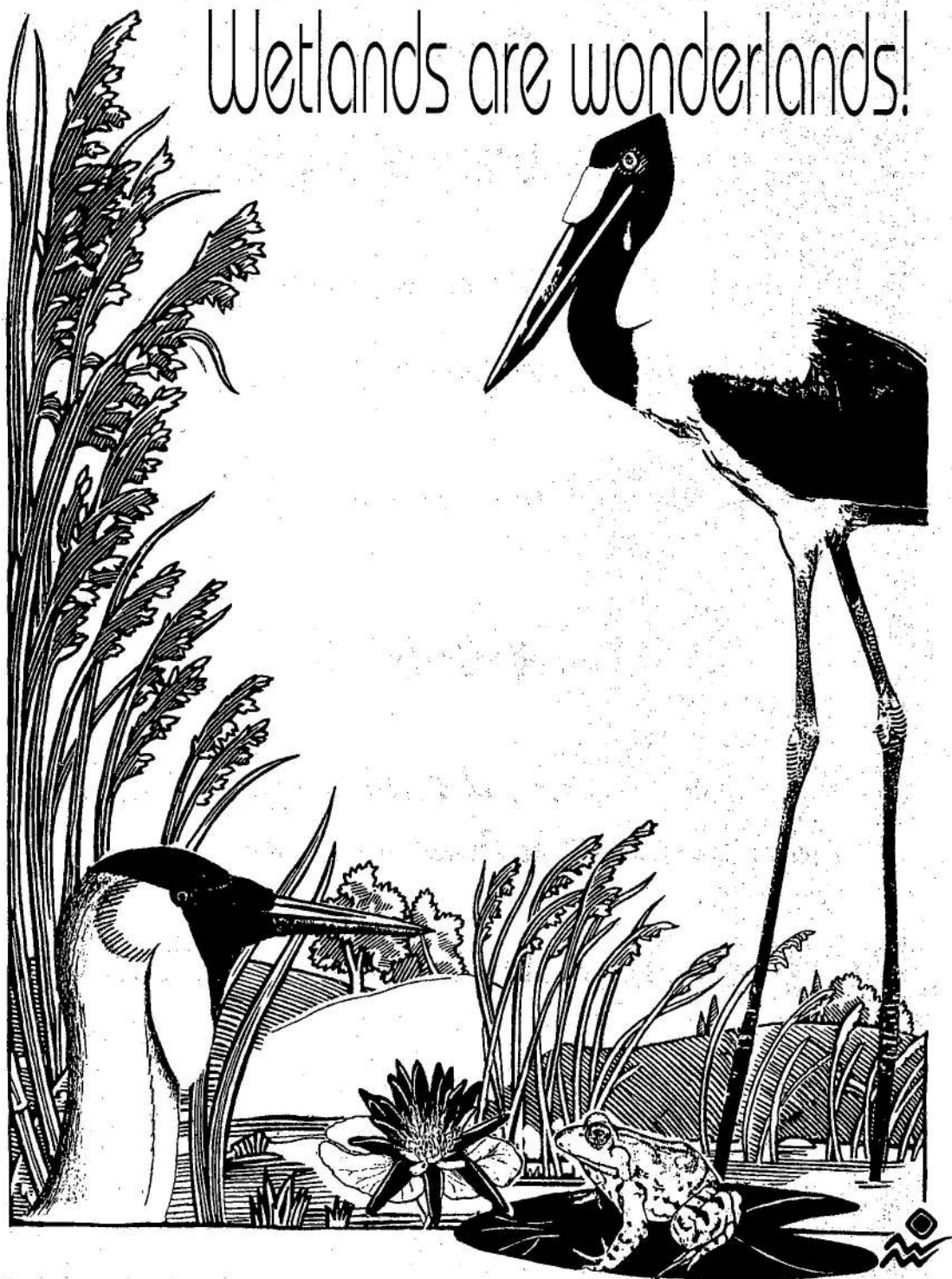
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