

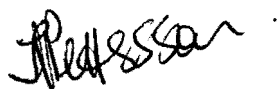
No. R. 955

9 October 2009

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

**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF BREEDERS
OF BROILER CHICKENS AND SUPPLIERS OF PACKAGING MATERIAL FOR THE
PACKING OF EGGS**

I, Tina Joemat-Pettersson, Minister of Agriculture, Forestry and Fisheries, 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 attached Schedule.



25/9/2009

**TINA JOEMAT-PETTERSSON
MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES**

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 –

“breeder” means a breeder of day old female parent broiler chickens of the species *Gallus domesticus* for commercial purposes, excluding those facilities that have been exempted by the levy administrator after application to the levy administrator as provided for in this regulation;

“broiler” means a chicken of the species *Gallus domesticus* hatched for the purpose of producing meat;

“eggs” means eggs laid by the species *Gallus domesticus*;

“hatchery” means a facility where eggs of the species *Gallus domesticus* are hatched for commercial purposes as broiler chickens, excluding those facilities that have been exempted by the levy administrator after application to the levy administrator as provided for in this regulation;

“levy administrator” means the Southern African Poultry Association which is entrusted with the implementation, administration and enforcement of the statutory measure established under this regulation;

“supplier of packaging material” means a supplier of packaging material for the packing of commercial eggs of the species *Gallus domesticus*; excluding those entities that have been exempted by the levy administrator after application to the levy administrator as provided for in the registration notice;

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

2. PURPOSE AND AIMS OF THE STATUTORY MEASURES AND THE RELATION THEREOF TO OBJECTIVES OF THE ACT

The purpose and aims of this statutory measure is to compel breeders of day old female parent broiler chickens and suppliers of packaging material for the packing of eggs, to register with the levy administrator. This is necessary to ensure that continuous, timeous and accurate market information relating to day old female parent broiler chickens bred and marketed as well as packed eggs sold, 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 poultry products. The viability of the local poultry 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 poultry 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.

3. PRODUCT TO WHICH THE STATUTORY MEASURE SHALL APPLY

This statutory measure shall apply to –

- Day old female parent broiler chickens bred by breeders for commercial use other than for own consumption, and
- Packed eggs for commercial use other than for own consumption,

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 breeder of day old female parent broiler chickens and supplier of packaging material for the packing of eggs 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 1202
HONEYDEW
2040
 - b) When sent by telefax, be addressed to 011 795 3180.

- (3) Any breeder of day old female parent broiler chickens and user of packaging material for the packing of eggs as defined, 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 from date of publication hereof and shall lapse four years later.

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