

GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

No. R. 472

22 June 2012

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

CONTINUATION OF STATUTORY MEASURE: REGISTRATION OF PRODUCERS AND PERSONS DEALING WITH WOOL IN THE COURSE OF TRADE

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 Schedule.

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 -

“broker” means a person dealing with wool in the course of trade by treating, keeping, conveying, selling or processing wool on behalf of a producer or cause such actions to be taken on behalf of a producer, or for himself;

“Cape Wools SA” means Cape Wools SA, an association not for gain incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973), with registration number 1997/03450/08;

“exporter” means a person dealing with wool in the course of trade by exporting it from the Republic;

“importer” means a person dealing with wool in the course of trade by importing it into the Republic;

“processor” means a person dealing with wool in the course of trade by scouring and combing it, or processing it in any other manner, or cause such actions to be taken;

“producer” means a person producing wool or involved in the production of wool;

“Republic” means the Republic of South Africa;

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

“trader or wool buyer” means a person dealing with wool in the course of trade by buying and selling wool; and

“wool” means the removed natural coat of the sheep (genus ovis), in whatever form.

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

The purpose and aim of this statutory measure is to provide a statutory mechanism for producers, brokers, traders or wool buyers, processors, importers and exporters to register with Cape Wools SA. A central database of names and contact details of individuals and organisations involved in the production, trading, processing and exporting of wool (by means of a unique identification number) supports the accurate and efficient gathering of data. The associated statutory measure for records and returns provides the framework for recording this data on a customised national wool industry database.

Cape Wools SA's mandate and purpose is to facilitate access to the wool market for all participants, to promote the efficiency of the marketing of wool and to optimise the export income from wool as per the objective of the Act. This can be achieved by producing and distributing a range of generic and customised market information products.

3. PRODUCT TO WHICH STATUTORY MEASURE APPLIES

This statutory measure shall apply to wool.

4. AREA IN WHICH STATUTORY MEASURE APPLIES

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

5. REGISTRATION OF PRODUCERS, BROKERS, TRADERS OR WOOL BUYERS, PROCESSORS, IMPORTERS AND EXPORTERS

(1) All producers, brokers, traders or wool buyers, processors, importers and exporters shall register as such with Cape Wools SA in the manner set out in section 6.

(2) An application for registration in terms of subsection (1) shall be made within 30 days from the date of commencement of this statutory measure and, in the case of a person becoming a producer, broker, trader or wool buyer, processor, importer and exporter after such date of commencement, within 30 days of becoming a producer, broker, trader or wool buyer, processor, importer and exporter.

(3) Upon registration a certificate of registration shall be issued to the applicant.

(4) A registration certificate issued in terms of subsection (3) shall lapse -

(a) on the date of expiry of this measure as granted by the Minister; or

(b) upon cancellation in terms of subsection (6) of this statutory measure.

(5)(a) An application for continued registration shall be lodged at least 30 days before the termination date in terms of subclause (4)(a) above.

(b) The provisions of clause 6 shall *mutatis mutandis* apply to an application for continued registration.

(6) Each producer, broker, trader or wool buyer, processor, importer and exporter shall within 30 days of ceasing to be a producer, broker, trader or wool buyer, processor, importer and exporter notify Cape Wools SA in writing thereof whereupon his or her registration shall be cancelled.

6. APPLICATION FOR REGISTRATION AS PRODUCER, BROKER, TRADER OR WOOL BUYER, PROCESSOR, IMPORTER AND EXPORTER

(1) An application for registration shall be furnished in the form or manner determined by Cape Wools SA for this purpose, and shall, if furnished on paper, be completed in ink.

(2) The application form shall -

(a) when forwarded by post, be addressed to -

The General Manager
Cape Wools SA
P.O. Box 2191
North End
PORT ELIZABETH
6056

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

The General Manager
Cape Wools SA
Wool House
18 Grahamstown Road
North End
PORT ELIZABETH
6056

- (c) when submitted electronically, be submitted to an address supplied by Cape Wools on request.

7. COMMENCEMENT AND PERIOD OF VALIDITY

This statutory measure shall come into operation on the date of publication hereof and shall lapse on 30 June 2016.