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DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 2515

23 September 2022

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996 (ACT NO. 47 OF 1996)**AMENDMENT OF STATUTORY MEASURE – RECORDS AND RETURNS IN RESPECT
OF MAIZE AND WHEAT IMPORTS AND EXPORTS**

I, Thoko Didiza, Minister of Agriculture, Land Reform and Rural Development, acting under sections 13, 18 and 19 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby –

- (a) publishes, as set out in the Schedule hereunder, the amendments to the statutory measure established by Government Notice No. R.605 of 4 June 2008, as amended by Government Notices No's. R.826 of 7 October 2011, R.68 of 29 January 2016, R.503 of 18 May 2018, R.1548 of 29 November 2019; and
- (b) declares that the said amendments shall come into operation on the date of publication hereof.


MRS ANGELA THOKOZILE DIDIZA
MINISTER FOR AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

SCHEDULE

The statutory measure for maize and wheat imports and exports as established in terms of Government Notice No. R.605 of 4 June 2008, as amended, is hereby further amended as follows:

1. Amendment of clause 1: Definitions

1.1 By amending the following definitions in clause 1 of the statutory measure:

“maize” means the threshed and unthreshed product of plants of *zea mays indentata*, *zea mays indurata* and *zea mays ceratina* or one or more of the hybrids of these, irrespective whether it is white maize or yellow maize;

“processor” means a person who mills, crushes, grinds to grits, or otherwise processes maize and/or wheat, in any manner whatsoever, for the manufacture of maize and/or wheat products with the aim of selling the resultant products.

2. Amendment of clause 3: Product to which statutory measure applies

By replacing clause 3 with the following clause:

“This statutory measure shall apply to whole maize and whole wheat locally produced, imported and/or exported, but shall exclude maize seed and wheat seed destined for propagating purposes, and also exclude maize products and wheaten products that are imported and/or exported.

3. Amendment of clause 5: Records to be kept in respect of maize and wheat

3.1 By inserting the following sub-clause after sub-clause 5(2):

“5(2)(i) Each person mentioned in sub-clause (1), irrespective of whether or not he has premises, shall keep the following records in addition to the records required in terms of sub-clause 5(2):

(a) Imports - in respect of maize and/or wheat that is intended to be imported, records shall be kept of:

(i) Name and address of importer or person on whose behalf imports are intended to be made.

(ii) Quantity of maize and/or wheat intended to be imported per country of origin.

(iii) Quantity of maize and/or wheat intended to be imported that is destined for –

(aa) consumption in South Africa;

(bb) export to Africa, per country of destination;

(cc) export overseas, per country of destination.

(iv) Name and particulars of the vessel in which a quantity of maize and/or wheat is intended to be imported.

(v) Name of border post through which a quantity of maize and/or wheat is intended to be imported.

(vi) Name and address of the first premises where maize and/or wheat intended to be imported through a border post is to be stored or handled.

(vii) Name of harbour and owner of harbour premises through which maize and/or wheat is intended to be imported.

(b) Exports - in respect of maize and/or wheat that is intended to be exported, records shall be kept in respect of:

(i) Name and address of the exporter and the person on behalf of whom the export is intended to take place.

(ii) Quantity of maize and/or wheat intended to be exported per country of destination or intended destination.

(iii) Quantity of maize and/or wheat intended to be exported per country of origin -

(aa) Produced in South Africa;

(bb) Imported from a specific country in Africa;

(cc) Imported from a specific country overseas.

(iv) Name of border post through which a quantity of maize and/or wheat is intended to be exported.

(v) Name and address of the last premises from where maize and/or wheat is intended to be dispatched to a border post for export.

(vi) Name of harbour and owner of harbour premises where the maize and/or wheat is intended to be handled for export.

(vii) Name and particulars of the vessel in which a quantity of maize and/or wheat is intended to be exported."

4. Amendment of clause 6: Returns to be submitted in respect of maize and/or wheat

5.1 By inserting the following sub-clause after sub-clause 6(2):

“6(2)(a) Every importer and exporter of maize and/or wheat shall, in addition to the return as required in terms of clause 6(1) above, each Monday before 12:00 submit to SAGIS an accurate prescribed return containing all the required information pertaining to maize and/or wheat that is intended to be imported or exported: Provided that –

(i) In the case of imports, the quantity of maize and/or wheat to be imported is to be declared eight weeks prior to the date on which the vessel transporting the maize and/or wheat to be imported is expected to arrive in South Africa; and

(ii) In the case of exports, the quantity of maize and/or wheat to be exported is to be declared eight weeks prior to the date on which the vessel transporting the maize and/or wheat to be exported is expected to depart from South Africa.”

5.2 By replacing sub-clause 6(4) with the following sub-clause:

“6(4) The return shall be transmitted electronically to reach the General Manager of SAGIS before or on the deadline date as mentioned in sub-clauses 6(1) and 6(2)(a).”

5.3 By replacing sub-clause 6(5) with the following sub-clause:

“6(5) A zero return shall be submitted if no maize and/or wheat was handled, imported or exported during the period of the return, or is intended to be imported or exported within a period of eight weeks from the date of submission of the return.”

5. Commencement and period of validity

These amendments to the statutory measure shall come into operation on the date of publication hereof and shall lapse on 30 April 2024.
