

## DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

## NOTICE 627 OF 2018

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996  
(ACT No. 47 OF 1996)**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF MACADAMIA NURSERIES, GROWERS, PROCESSORS, CONSOLIDATORS OF NUT IN SHELL, IMPORTERS AND EXPORTERS OF MACADAMIA NUTS**

I, Senzeni Zokwana, 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.

SENZENI ZOKWANA,  
Minister of Agriculture, Forestry and Fisheries.

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## SCHEDULE

Definitions

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning, unless the context indicates otherwise:

“**address**” means the physical address where business is conducted, whether at a home, farm or other premises.

“**exporter**” means any person that exports macadamias for his own account or, acts as agent on behalf of producers and/or processors or packers of macadamia nuts.

“**grower**” is synonymous with “**producer**” and means any person engaging, in a proprietary capacity, in the commercial production of macadamia inclusive of persons or concerns who process and produce macadamia nuts, trades with macadamia nuts, husks, kernels or in-shell or who grows and sells macadamia trees.

“**importer**” means an entity which imports macadamias into South Africa for processing,

retail distribution or export and includes persons organising imports on behalf of or in the name of another person.

“**kernel**” means the edible seed of the macadamia.

“**macadamias**” means the fruits of the macadamia nut tree species, whether nut in shell or kernel.

“**macadamia industry**” means all participants and role players in the South African macadamia industry.

“**macadamia nursery**” means any person involved in the production of macadamia nut nursery trees, either for own use or sale for commercial gain.

“**Nut in shell consolidator**” means a person that receives macadamia nuts from growers for the purpose of preparing and packing for sale as nut in shell. This definition includes persons that buy nut in shell from growers and /or act as agents for the sale of nut in shell. Growers that sell their own production of nut in shell directly to traders are also included in this definition.

“**person**” means an individual, partnership, company, association or any other business unit.

“**processor**” means a person that sorts, cleans, cracks and processes macadamias, excluding growers that dehusk and dry their own macadamia nut production on farm.

“**SAMAC**” means Macadamias South Africa Non-Profit Company with registration number 2017/656242/08.

“**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 objectives of the Act

2. The purpose and aims of this statutory measure is to compel the parties set out herein to register with the Macadamias South Africa NPC (SAMAC). Registration is necessary to assist the South African macadamia nut industry in ensuring that continuous, timeous and accurate information relating to the industry is available to all role players. Such 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, generic information for the whole industry can be processed and disseminated and will form the basis for the collection of levies where applicable and appropriate.

The establishment of the measure would assist in promoting the efficiency of the production and marketing of macadamias. The viability of the macadamia industry will thus be enhanced. The measure will not be detrimental to the number of employment opportunities and fair labour practice.

The measure, as set out in this Schedule will be implemented and administered by SAMAC.

Products to which the statutory measure applies

3. This statutory measure shall apply to macadamia nuts in-shell, kernels and macadamia trees both in the field and in the nursery.

Area in which measure shall apply

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

Registration of parties concerned

5. (1) All growers, nurseries, processors, nut in shell consolidators, importers and exporters of macadamias shall register with SAMAC in the manner prescribed in clause 6.
- (2) Each person becoming a grower, nursery, processor, nut in shell consolidator, importer or exporter of macadamias shall register with SAMAC within 30 days of becoming a grower, nursery, processor, nut in shell consolidator, importer or exporter of macadamias.
- (3) Persons whose activities are classified under more than one of the categories mentioned in clauses 5. (1) and 5. (2) shall register separately under each category. For example, a grower that dries and packages his own nut in shell for sale to a trader, shall register both as a grower and a nut in shell consolidator.
- (4) Growers, nurseries, processors, nut in shell consolidators, exporters and importers shall declare an address for each farm, nursery, processing facility, warehouse etc. where macadamias are kept.
- (5) Growers, nurseries, processors, nut in shell consolidators, exporters and importers that are not members of SAMAC in the specific appropriate categories of membership, such as handler member (processors, nut in shell consolidators), associate members, and grower members shall re-register annually before 31 January. In the case of a company, the Memorandum of Incorporation must be sent to SAMAC to accompany the registration. In the case of a Trust, the Letter of Authority issued by the Master of the High Court where the Trust is registered must be supplied to SAMAC to accompany the registration.

Registration

6. Registration shall –

- (1) be made within 30 days of the commencement of this statutory measure, and in the case of a person becoming a party as contemplated in clause 5 after

such date of commencement, within 30 days of becoming such a party.

- (2) be made on the application form obtainable free of charge from SAMAC:
- (3) be submitted, when forwarded by post, to –  
SAMAC  
Private Bag X180  
Centurion  
0046
- (4) when delivered by hand, be delivered to –  
SAMAC c/o AgriSA Inkwazi Building,  
Block A,  
1249 Embankment Road,  
Zwartkop X7  
Pretoria
- (5) when sent by telefax, be sent to –  
+27 (0)86 612 9077
- (6) when sent by email, be sent to –  
[info@samac.org.za](mailto:info@samac.org.za)
- (7) alternatively, be made online, on the SAMAC website [www.samac.org.za](http://www.samac.org.za)

Failure to comply with the statutory measure in this schedule

7. Upon failure to comply with the statutory measure as set out in this schedule resulting in legal steps to enforce the provisions of the regulations, the specific entity or person not complying to the said measures would be liable for the legal costs, on the scale as between attorney and own client.

Commencement and period of validity

8. This statutory measure shall come into operation on 15 November 2018 and shall lapse 4 years later.

## DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

## NOTICE 628 OF 2018

## MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996

(ACT No. 47 OF 1996)

**ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS RELATING TO MACADAMIA TREES AS WELL AS DOMESTIC PRODUCTION, PROCESSING, IMPORTS AND EXPORTS OF MACADAMIA NUTS**

I, Senzeni Zokwana, Minister of Agriculture, Forestry and Fisheries, 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.

SENZENI ZOKWANA,  
Minister of Agriculture, Forestry and Fisheries.

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## SCHEDULE

Definitions

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning, unless the context indicates otherwise:

“**address**” means the physical address where business is conducted, whether at a home, farm or other premises.

“**contact details**” means the name and surname, cellular telephone number, landline number(s) and where applicable email address of an individual, business or entity.

“**exporter**” means any person that exports macadamias for his own account or, acts as agent on behalf of producers and/or processors or packers of macadamia nuts.

“**geographic region**” means country of origin or destination, or South African province, or a sub-region of a province where otherwise indicated such as the Northern or Southern part of a province, for instance KwaZulu-Natal North Coast.

“**grower**” is synonymous with “**producer**” and means any person engaging, in a

proprietary capacity, in the commercial production of macadamias inclusive of persons or concerns who process and produce macadamia nuts, trades with macadamia nuts, husks, kernels or in-shell or who grows and sells macadamia trees.

“**importer**” means an entity which imports macadamias into South Africa for processing, retail distribution or export and includes persons organising imports on behalf of or in the name of another person.

“**inspector**” means an inspector appointed by the Minister of Agriculture, Forestry and Fisheries in terms of section 21 of the Marketing of Agricultural Products Act, Act no 47 of 1996.

“**kernel**” means the edible seed of the macadamia.

“**macadamias**” means the fruits of the macadamia nut tree species, whether nut in shell or kernel.

“**macadamia industry**” means all participants and role players in the South African macadamia industry.

“**macadamia nursery**” means any person involved in the production of macadamia nut nursery trees, either for own use or sale for commercial gain.

“**Nut in shell consolidator**” means a person or business that receives macadamia nuts from growers for the purpose of preparing and packing for sale as nut in shell. This definition includes persons that buy nut in shell from growers and /or act as agents for the sale of nut in shell. Growers that sell their own production of nut in shell directly to traders are also included in this definition.

“**person**” means an individual, partnership, company, association or any other business unit.

“**processor**” means a person or business that sorts, cleans, cracks and processes macadamias, excluding growers that dehusk and dry their own macadamia nut production on farm.

“**SAMAC**” means Macadamias South Africa Non-Profit Company with registration number 2017/656242/08.

“**The Act**” means the Marketing of Agricultural Products Act, 1996 (Act no. 47 of 1996).

“**written requests**” means requests made by email, documents, letters via post or letters delivered by hand, to the addresses provided to SAMAC at the time of registration as per the relevant Government Gazette Notice relating to registration, or to any other relevant address that SAMAC becomes aware of.

Purpose and aims of this statutory measure and the relation thereof to 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 SAMAC. This is necessary to ensure that continuous, timeous and accurate information relating to the products as defined, is available to all role players in the South African macadamia nut industry. Such 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, import, domestic market, export and production information of macadamias can be processed and disseminated. In cases where information of individual persons is deemed sensitive, only aggregated information will be disseminated in order to keep the information of individuals confidential.

The establishment of the measure will assist in promoting the efficiency of the marketing of macadamia nuts. The viability of the macadamia 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 client-specific information will be made available to any party without the prior approval of the party whose rights may be affected.

The measure, as set out in this Schedule will be implemented and administered by SAMAC.

Products to which the statutory measure apply

3. This statutory measure shall apply to macadamias, both locally produced and imported, as well as macadamia trees.

Area in which measure shall apply

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

Records to be kept and returns to be rendered

5. (1) The following parties shall keep records and furnish returns to SAMAC, its inspectors or the South African Police Service as may be required by written requests, with regard to macadamia nuts and macadamia trees:
- (a) Nurseries.
  - (b) Growers.
  - (c) Processors.
  - (d) Nut in shell consolidators.
  - (e) Importers.
  - (f) Exporters.

- (2) Records and returns shall in the case of **nurseries**, contain information with regard to the following:
- (a) Number of trees produced in a given period;
  - (b) Rootstocks;
  - (c) Scion cultivars; and
  - (d) Geographic distribution of tree sales.
- (3) Records and returns shall in the case of **growers**, contain information with regard to the following:
- (a) Number of trees planted;
  - (b) Number of hectares planted;
  - (c) Tree age;
  - (d) Rootstocks;
  - (e) Scion cultivars;
  - (f) Presence or absence of irrigation systems;
  - (g) Crop estimates;
  - (h) Total volume of inshell macadamias and kernel delivered to nut in shell consolidators, processors and exporters; and
  - (i) Contact details of the nut in shell consolidators, processors and exporters where macadamias were delivered to.
- (4) Records and returns shall in the case of **Processors**, contain information with regard to the following:
- (a) Carryover stock from previous seasons;
  - (b) Forecast intake of nut in shell for a given period by geographic region;
  - (c) Actual intake of nut in shell for a given period;
  - (d) Forecast kernel production of various styles for a given period;
  - (e) Kernel stock of various styles not committed for sale for a given period;
  - (f) Nut in shell shipments with corresponding volumes per geographic region for a given period;
  - (g) Kernel shipments with corresponding volumes per geographic region for a given period;
  - (h) Sound kernel production;
  - (i) Details of factors leading to unsound kernel;
  - (j) Nut in shell intake by geographic region;
  - (k) Kernel intake by geographic region;
  - (l) Contact details and address of individuals and/or suppliers of nut in shell and their corresponding total deliveries of nut in shell;
  - (m) The contact details and address of individual growers and / or suppliers of kernel and their corresponding total deliveries of kernel;
  - (n) In the instance where kernel is bought or received from growers, processors, individuals or other parties, contact details and address of such suppliers of kernel, as well as confirmation by means of an affidavit



or warranty that the due levies were paid to SAMAC on the specific consignment of kernel before cracking and processing; and

- (o) In the instance where inshell macadamia is bought or received from entities other than growers, such as processors, nut in shell consolidators, individuals or other parties, contact details and address of such suppliers of inshell macadamias, as well as confirmation by means of an affidavit or warranty that the due levies were paid to SAMAC on the specific consignment of macadamias.

Processors shall be audited annually by an accounting firm registered with a professional body and confirmation from the said firm provided to SAMAC that the nut in shell and kernel intake volumes declared to SAMAC for the previous calendar year, are true and correct. Such confirmations shall include warranties and/or affidavits referred to in sub-clauses 4 (n) and (o) and be submitted to SAMAC before 30 June of each year.

- (5) Records and returns shall in the case of **nut in shell consolidators**, contain information with regard to the following:
- (a) Carryover stock from previous seasons;
  - (b) Forecast intake of nut in shell for a given period by geographic region;
  - (c) Intake of nut in shell for a given period;
  - (d) Nut in shell shipments with corresponding volumes per geographic region for a given period;
  - (e) Nut in shell stock not committed for sale for a given period;
  - (f) Nut in shell intake by geographic region;
  - (g) Kernel intake by geographic region;
  - (h) Contact details and address of individual growers and / or suppliers of nut in shell and their corresponding total deliveries of nut in shell;
  - (i) Contact details and address of individual growers and / or suppliers of kernel and their corresponding total deliveries of kernel;
  - (j) In the instance where kernel is bought or received from growers, processors, individuals or other any parties, contact details and address of such suppliers of kernel, as well as confirmation by means of an affidavit or warranty that the due levies were paid to SAMAC on the specific consignment of kernel before cracking and processing; and
  - (k) In the instance where inshell macadamias is bought or received from entities other than growers, such as processors, nut in shell consolidators, individuals or other any parties, contact details and address of such suppliers of inshell macadamias, as well as confirmation by means of an affidavit or warranty that the due levies were paid to SAMAC on the specific consignment of macadamias.

Nut in shell consolidators shall be audited annually by an accounting firm registered with a professional body and confirmation from the said firm

provided to SAMAC that the nut in shell and kernel intake volumes declared to SAMAC for the previous calendar year, are true and correct. Such confirmations shall include warranties and/or affidavits referred to in sub-clauses 5 (j) and (k) and be submitted to SAMAC before 30 June of each year.

- (6) Records and returns shall in the case of **importers**, contain information with regard to the following:
  - (a) Volume of nut in shell imported in a given period;
  - (b) Volume of kernel imported in a given period; and
  - (c) Country of origin of imports.
- (7) Records and returns shall in the case of **exporters**, contain information with regard to the following:
  - (a) Volume of nut in shell exported in a given period;
  - (b) Volume of kernel exported in a given period;
  - (c) Country of destination of exports;
  - (d) Contacts details and address of sources of nut in shell obtained for export with the respective corresponding volumes; and
  - (e) Contacts details and address of sources of kernel obtained for export with the respective corresponding volumes.
- (8) The National Department of Agriculture, Forestry and Fisheries or its assignee shall render a copy of all import certificates or furnish the information required by SAMAC contained in such certificates within the period specified in sub-clause (9).
- (9) The Department of Agriculture, Forestry and Fisheries, the Perishable Products Export Control Board or any other assignee of the Department of Agriculture Forestry and Fisheries mandated to carry out export and/or local inspections shall render information relating to specific importers, exporters, processors and nut in shell consolidators and the respective import or export volumes of all macadamia products, including kernel and nut in shell, to SAMAC.
- (10) The records referred to in sub-clauses (2) – (7) shall be rendered, on forms obtainable free of charge from SAMAC, within 20 days after the end of the month in which the returns have been requested, unless a period of greater than 20 days is specified by SAMAC.

Forms shall be submitted,

- (a) when forwarded by post, to –  
SAMAC  
Private Bag X180  
Centurion

0046

- (b) when delivered by hand, be delivered to –  
SAMAC c/o AgriSA Inkwazi Building,  
Block A,  
1249 Embankment Road,  
Zwartkop X7  
Pretoria
- (c) when sent by telefax, be addressed to –  
+27 (0)86 612 9077
- (d) when sent by email, addressed to –  
info@samac.org.za

Failure to comply with the statutory measure in this schedule

6. Upon failure to comply with the statutory measure as set out in this schedule resulting in legal steps to enforce the provisions of the regulations, the specific entity or person not complying to the said measures would be liable for the legal costs, on the scale as between attorney and own client.

Commencement and period of validity

7. This statutory measure shall come into operation on 15 November 2018 and shall lapse 4 years later.

## DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

## NOTICE 629 OF 2018

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996  
(ACT No. 47 OF 1996)**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES  
ON MACADAMIA NUTS**

I, Senzeni Zokwana, Minister of Agriculture, Forestry and Fisheries, 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 hereto;
- (b) determine the guideline price for macadamias (recent average domestic growers' selling price, dry nut in shell, 1.5% moisture), as R75.58 per kg.

SENZENI ZOKWANA,  
Minister of Agriculture, Forestry and Fisheries.

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## SCHEDULE

Definitions

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning, unless the context indicates otherwise:

“**DNIS**” means dry nut in shell at a kernel moisture content at 1.5%.

“**exporter**” means any person that exports macadamias for his own account or, acts as agent on behalf of producers and/or processors or packers of macadamia nuts.

“**grower**” is synonymous with “**producer**” and means any person engaging, in a proprietary capacity, in the commercial production of macadamias inclusive of persons or concerns who process and produce macadamia nuts, trades with macadamia nuts, husks, kernels or in-shell or who grows and sells macadamia trees.

“**importer**” means an entity which imports macadamias into South Africa for processing, retail distribution or export and includes persons organising imports on behalf of or in the name of another person.

“**inspector**” means an inspector appointed by the Minister of Agriculture, Forestry and Fisheries in terms of section 21 of the Marketing of Agricultural Products Act, Act no 47 of 1996.

“**kernel**” means the edible seed of the macadamia.

“**macadamias**” means the fruits of the macadamia nut tree species, whether nut in shell or kernel.

“**macadamia industry**” means all participants and role players in the South African macadamia industry.

“**Nut in shell consolidator**” means a person that receives macadamia nuts from growers for the purpose of preparing and packing for sale as nut in shell. This definition includes persons that buy nut in shell from growers and / or act as agents for the sale of nut in shell, and act as agents or contractors for dehusking of nut in shell. Growers that sell their own production of nut in shell directly to traders are also included in this definition.

“**person**” means an individual, partnership, company, association or any other business unit.

“**processor**” means a person that sorts, cleans, cracks and processes macadamias, excluding growers that dehusk and dry their own macadamia nut production on farm.

“**SAMAC**” means Macadamias South Africa Non-Profit Company with registration number 2017/656242/08.

“**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 objectives of the Act

2. The purpose and aims of this statutory measure is to provide financial support for the following in the interests of the South African macadamia industry as a whole:
  - (a) Collection, processing and dissemination of reliable production and market information;
  - (b) Production, post-harvest, product and market research;
  - (c) Technology transfer;
  - (d) Determination of quality standards;
  - (e) Stimulation of consumption of macadamia nuts;
  - (f) Liaison with local and international governments, organisations and interested groups;
  - (g) Promotion of co-operation between growers, handlers, processors and other industry role players;

- (h) Promotion of market access including gaining, retaining and optimising markets;
- (i) Facilitation of transformation within the industry;
- (k) Medical and other research to promote the health aspects of macadamia nut consumption;
- (l) Benchmarking and determination of best practice; and
- (m) Determining the impact of theft on the industry;

The measure will not be detrimental to the number of employment opportunities or fair labour practice.

The measure will be administered by Macadamias South Africa Non-Profit Company (SAMAC)

Products to which the statutory measure applies

3. This measure shall apply to macadamia nuts in-shell, kernels and macadamia trees both in the field and in the nursery;

Area in which 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 all inshell macadamia nuts received, from a grower, by a processor or consolidator of nut in shell.

Amount of levy

6. The amount of the levy shall be as follows (excluding VAT):

Period	14 Nov 2018 - 13 Nov 2019	14 Nov 2019 - 13 Nov 2020	14 Nov 2020 - 13 Nov 2021	14 Nov 2021 - 13 Nov 2022
Rate/kg DNIS	R0.50	R0.56	R0.62	R0.68

Persons by whom the levy shall be payable

7. (1) The levy imposed under clause 5 shall –
- (a) be payable by any processor or consolidator of nut in shell that receives inshell macadamias from a grower, regardless of whether such a processor, consolidator of nut in shell or exporter buys the macadamias from the grower or acts as a marketing agent.
  - (b) be a grower's levy, deducted from the grower's returns by the processor, importer, exporter or consolidator of nut in shell.
  - (c) inclusive of persons or concerns who process and produce

macadamia nuts, trades with macadamia nuts, husks, kernels or in-shell or who grows and sells macadamia trees.

- (d) be payable by processors, nut in shell consolidators and exporters in the instance where kernel is received from other processors, nut in shell consolidators or exporters and no guarantee is received by means of an affidavit or warranty that a levy has not been paid on the specific consignment. In such instances a levy shall be determined by converting the kilograms of kernel to an inshell basis by dividing the kilograms of kernel by 0.3 and applying the levy as stated in clause 5. This amount shall be deducted and paid over to SAMAC by the processor, nut in shell consolidator or exporter on behalf of the person supplying the kernel, which is equal to the levy as stated in clause 5 for nut in shell at a kernel recovery of 30%.
- (2) It is the responsibility of the grower to ensure that a levy is deducted and paid over to SAMAC, although a processor, nut in shell consolidator, exporter or importer can also be held liable.
- (3) In the instance of a dispute on the definition, classification or responsibility of an entity, the inspector shall make the determination on who is responsible for the payment of the levy.

#### Payment of levy

- 8. (1) Payment of the levy shall be made not later than ninety (90) days following the month end wherein a quantity of macadamias was delivered.
- (2) Payment shall be made by means of a cheque or electronic transfer in favour of SAMAC, and shall –
  - (a) when paid by cheque, be addressed to –  
SAMAC  
Private Bag X180  
Centurion  
0046
  - (b) when delivered by hand, be delivered to –  
SAMAC c/o AgriSA Inkwazi Building,  
Block A,  
1249 Embankment Road,  
Zwartkop X7  
Pretoria
  - (c) when electronically transferred, be paid to the bank account obtainable from SAMAC on request.

Administration of levies

9. The statutory measure shall be administered by SAMAC. Approximately 70% of levy income will be spent on core activities (such as research, information functions and stimulation of demand for macadamias), not more than 10% will be spent on administration of levies and at least 20% on transformation. The levies shall be accounted for in a manner and to the extent acceptable to the Auditor-General, separately from other funds or assets under the control of SAMAC. Annual audited financial statements will be submitted to the National Agricultural Marketing Council and the Auditor-General, with the percentage allocated towards transformation clearly indicated and accompanied by a report stating how the objectives of the levy have been met. Any deficit at the date of termination of this statutory measure shall be for the account of SAMAC. The Minister of Agriculture, Forestry and Fisheries shall decide on the application of any surplus levies at the date of termination of the statutory measure.

Failure to comply with the statutory measure in this schedule

10. Upon failure to comply with the statutory measure as set out in this schedule resulting in legal steps to enforce the provisions of the regulations, the specific entity or person not complying to the said measures would be liable for the legal costs, on the scale as between attorney and own client.

Commencement and period of validity

11. This statutory measure shall come into operation on 15 November 2018 and will lapse four years later.

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 630 OF 2018****COMPETITION TRIBUNAL****NOTIFICATION OF COMPLAINT REFERRAL**

The Competition Tribunal gives notice in terms of Section 51(3) & (4) of the Competition Act 89 of 1998 as amended, that it received the complaint referrals listed below. The complaint(s) alleges that the respondent(s) engaged in a prohibited practice in contravention of the Competition Act 89 of 1998.

Case No.	Complainant	Respondent	Date received	Sections of the Act
CR178Sep18	Competition Commission	Beefcor (Pty) Ltd; Cape Fruit Processors (Pty) Ltd	23/09/2018	4(1)(b)(ii)

The Chairperson  
Competition Tribunal