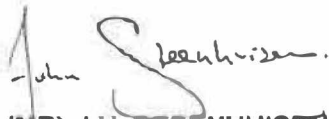


DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NO. R. 6437****18 July 2025****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996 (ACT NO. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF GUIDELINE
PRICES: LEVIES RELATING TO LUPINS**

I, John Henry Steenhuisen, 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 hereto; and
- (b) determine the guideline price, per metric ton, for lupins as R4 885.18.



(MR) J.H. STEENHUISEN (MP)
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
 - **“Lupins” or “Lupin”** means the seed of the species *Legimus* or the European lupins (*Lupinus albus*; *Lupinus angustifolius* & *Lupinus luteus*), which is used as food or is utilised for the processing or manufacture of flour or protein.
 - **“producer”** means a person who produces lupins or a person on whose behalf lupins is produced;
 - **“the Act”** means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996);
 - **“SACTA”** means the SA Cultivar and Technology Agency NPC.

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

2. The purpose and aim of this statutory measure is to compensate breeders of lupin varieties for their contribution towards obtaining and utilising improved international agriculture related intellectual property to the benefit of the lupin industry in the Republic of South Africa.

The agricultural sector is expected to ensure food security, strengthen the economy and create job opportunities. This can be reconciled with the provisions of Section 2(3) of the Act. In order to achieve these aims and to further the competitive position of the lupin industry in the Republic of South Africa, it is essential to cultivate high yielding crops from seed varieties that are most suited for particular regions in the country. For the optimisation of possible export earnings, it is also imperative for South African commodities to conform to international quality standards so that South African producers of lupins can remain competitive in the international markets.

The statutory measure shall be administered by the SA Cultivar and Technology Agency NPC (SACTA). The levies collected will be administered in a separate account for lupins. SACTA shall be audited annually in accordance with generally accepted accounting practices.

A portion of the funds collected by means of the levy will be focussed on small-scale farmers and transformation in the lupin industry in the Republic of South Africa. SACTA, who shall administer the levy, shall allocate 20% of the levy proceeds to transformation initiatives in the lupin industry, by means of service providers of its choice, and report back to the National Agricultural Marketing Council (NAMC) annually.

Product to which statutory measure applies

3. This statutory measure shall apply to lupins.

Area in which statutory measure applies

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

Imposition of levy

5. A levy is hereby imposed on all lupins –
- (a) sold by or on behalf of the producer thereof;
 - (b) processed or converted or caused to be processed or converted into a lupins product, by or on behalf of the producer thereof, if the lupins product is intended to be disposed of; and
 - (c) in respect of which a silo receipt has been issued, if the levy in respect of such lupins has not already been paid in terms of paragraph (a) or (b).

Amount of levy

6. The amounts of the levies (excluding Value Added Tax) will be as follows:

Commodity	Period	Amount (Excluding Value Added Tax)
Lupins	1/10/2025 to 30/09/2026	R35 per metric ton
	1/10/2026 to 30/09/2027	R35 per metric ton

Persons by whom levies are payable

7. (1) The levy payable in terms of clause 5 shall –
- (a) in the case of a levy contemplated in clause 5(a), be payable by the buyer of the lupins;
 - (b) in the case of a levy contemplated in clause 5(b), be payable by the processor or converter of the lupins; and
 - (c) in the case of a levy contemplated in clause 5(c), be payable by the person issuing such silo receipt.
- (2) The amount of the levy payable by the buyer in terms of sub-clause (1)(a) and sub-clause (1)(b) may be recovered from the producer.
- (3) The amount of the levy payable by the person issuing the silo receipt in terms of sub-clause 1(c) may be recovered from the person to whom such silo receipt is issued.
- (4) The persons contemplated in sub-clauses (1)(a), (1)(b) and (1)(c), may claim 2,5% commission on the amount of the levies recovered, in accordance with the conditions set by SACTA from time to time.

Payment of levy

8. (1) Payment of a levy imposed in terms of clause 5 shall be made by the persons contemplated in clause 7 not later than the last day of the month following the month in which the lupins have been sold, delivered for sale, processed, converted, exported or a silo receipt issued in respect thereof.
- (2) Payment shall be made in favour of the SA Cultivar and Technology Agency NPC, and has to be accompanied by a duly completed levy return form, containing such information pertaining to lupins prescribed by the SA Cultivar and Technology Agency NPC. If no levy is payable in a particular month, a nil return shall be submitted to SACTA.
- (3) Payment shall –
- (a) when forwarded by post, be addressed to –
- The SA Cultivar and Technology Agency NPC
P O Box 74626
LYNNWOOD RIDGE
0040
- (b) when delivered by hand, be delivered to –
- The SA Cultivar and Technology Agency NPC
Grain Building Agri-Hub (block D)
477/478 Witherite Street
The Willows
Pretoria, 0186
- (c) when transferred electronically, be paid into the designated bank account of the SA Cultivar and Technology Agency NPC.

Conditions of approval

9. This statutory measure is subject to the following conditions:
- (a) That 70% of levy income be spent on breeding and technology, at least 20% on transformation, in line with the NAMC's new guidelines, and less than 10% on administration;
- (b) That levies be accounted for, in a manner and to the extent acceptable to the Auditor General, separately from any other funds or assets under the control of SACTA; and
- (c) That after the lapsing of the levy, any surplus funds only be utilised after the approval of the Minister was obtained.

Commencement and period of validity

10. (1) This statutory measure shall come into operation on 1 October 2025 and shall lapse on 30 September 2027.
- (2) Notwithstanding the provisions of sub-clause (1), the Minister may, after evaluation and review of the measure under section 9(1)(f) of the Act, by notice

in the Government Gazette determine that the measure shall lapse on a date specified in that notice: Provided that such date shall not be later than the date determined under sub-clause (1).