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21 August 2023

**LEVY ON LUPINS TO COMPENSATE BREEDERS**

The Minister of Agriculture, Forestry and Fisheries approved a statutory levy on lupins with effect from 1 October 2023. The levy was promulgated in Government Notice No. R. 3744 of 4 August 2023.

A copy attached herewith, for your convenience.

The purpose of the levy is to compensate breeders of lupin varieties for their contributions in providing improved international and local agricultural intellectual property to the industry. SACTA has been appointed in terms of the Government Notice to collect and administer the levy.

The levy will be applicable from 1 October 2023 until 30 September 2025. Details of the levy are set out hereunder and can be verified in terms of the regulation in the Government Gazette as mentioned above.

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

COMMODITY	PERIOD	AMOUNT (Excluding Value Added Tax)	AMOUNT (Including Value Added Tax)
Lupins	1/10/2023 to 30/9/2024	R35.00 per metric ton	R40.25 per metric ton
	1/10/2024 to 30/9/2025	R35.00 per metric ton	R40.25 per metric ton

**1. Circumstances under which the levy is payable.**

The levy is applicable on lupins:

- a) that is sold by or on behalf of the producer thereof;
- b) that is processed or converted into a product by or on behalf of the producer thereof, if the processed product is intended to be disposed of;
- c) in respect of which a silo certificate has been issued, if the levy in respect of the lupins has not already been paid in terms of paragraph (a) or (b) above; and
- d) that is exported from the Republic of South Africa and in respect of which the levy has not been paid in terms of paragraphs (a), (b) or (c) above.

**NB:** Please note that the levy is payable under all the circumstances as referred to above and is applicable to such actions with regard to all lupins, irrespective of the grade or the purpose of usage thereof. The levy is only applicable to lupins produced within the Republic of South Africa.

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## **2. Parties responsible for payment of the levy**

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In terms of the regulation, the levy is payable +/- Monthly by the following parties:

- a) by the buyer of the lupins in the case of paragraph 1(a) above;
- b) by the processor or converter of the lupins in the case of paragraph 1(b) above;
- c) by the person issuing the silo certificate in the case of paragraph 1(c) above; and
- d) by the exporter of the lupins in the case of paragraph 1(d) above.

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## **3. Amount of the levy**

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The amount of the levy for lupins will be R35,00 (VAT excluded) per metric ton for the entire period from 1 October 2023 until 30 September 2025.

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## **4. Recovery of levy**

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In terms of the regulation, the levy payable by the buyer of the lupins (in the case of paragraph 1(a)), may be deducted from the purchase price payable to the producer.

The levy payable by the processor or converter of the lupins (in the case of paragraph 1(b)), may be recovered from the producer of such grain.

The levy payable by the person issuing a silo certificate (in the case of paragraph 1(c)), may be recovered from the person to whom such silo certificate is issued.

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## **5. Payment of levy**

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In terms of the regulation, the levy is payable by no later than the last day of the month following the month in which the lupins had been sold, processed, converted, exported or in respect of which a silo certificate was issued.

Payment of the levy must be made to:

The SA Cultivar and Technology Agency NPC  
c/o Agri Manage Solutions (Pty) Ltd  
477 Witherite Street  
Die Wilgers  
0184

The banking details for payments are as follows:

Bank: First National Bank  
Branch: Menlyn Maine  
Branch code: 250-655  
Account holder: The SA Cultivar and Technology Agency NPC  
Account number: 6264 3558 185

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## **6. Information to be submitted**

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Affected parties are requested to please identify the breeders whose lupin varieties are being purchased from producers, or are processed or converted on behalf of producers, or in respect of which a silo certificate is issued, inter alia, by means of declarations from the producers concerned, or by the physical identification of the varieties. The purpose of the identification of the varieties is to determine the involvement of the different breeders of lupins varieties in the market, in order to compensate breeders proportionately in accordance with their respective market shares, from the levies that are collected.

Kindly send the following forms at the same time for our office. We will process both accordingly

- Payment Advice Form
- Commission Invoice

Your co-operation in completing the form with each payment to be made will be appreciated, as it will ensure the successful completion of the transaction.

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## 7. Additional Information related to levy's

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<https://sagrainmag.co.za/2023/02/28/hoe-verskil-statutere-en-vrywillige-heffings/>

Enquiries may be directed to Mr Andrew Bennett (CEO of SACTA) at 076 676 8206 or [andrew@sactalevy.co.za](mailto:andrew@sactalevy.co.za) .

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**JOANE BAM**  
**ADMINISTRATORS**  
**(SACTA)**

Email: [admin@sactalevy.co.za](mailto:admin@sactalevy.co.za)

Alternatively: [joane@agrimanage.co.za](mailto:joane@agrimanage.co.za)

Attachments:

- Government Gazette
- Levy Reporting Form
- Payment Advice
- Commission Form