REGLEMENT VAN DIE MOERKWEKERSFORUM, NASIONALE MOEREKOMITEE EN MOERPRODUKSIESTREKE

A. AGTERGROND

1. Aartappels Suid-Afrika Vrywillig ("ASA") is 'n organisasie wat in terme van sy Konstitusie:

    1.1 die doelwitte nastreef soos daarin uiteengesit (Sien Aanhangsel A); en
    1.2 onder andere bestaan uit lede wat aartappelmoere vir die mark produseer; en
    1.3 vir die doeleindes van die bereiking van sy doelwitte geregtig is om sekere komitees tot stand te bring.

2. ASA het besluit om spesifieke komitees ten opsigte van die aartappelmoerbedryf tot stand te bring.

3. Die doel van hierdie dokument is om die reëls/konstitusie van hierdie komitees te reguleer.

B. MOERKWEKERSFORUM

1. STATUS

Die Moerkwekersforum is die hoogste gesag in die moerbedryf.

1.1 Die Moerkwekersforum (Forum) is die verteenwoordigende instansie vir lede van ASA wat moer-aanplantings onder die Suid-Afrikaanse Aartappelmoersertifiseringskema registreer en geag word as “geregistreerde” moerkwekers by Aartappelsertifiseringsdiens ("geregistreerde moerkwekers") of 'n verkose verteenwoordiger van “geregistreerde moerkwekers” met dié voorbehoud dat die verteenwoordiger direk betrokke moet wees by die geregistreerde verbouing van aartappelmoere.

1.2 Besluite wat deur die Moerkwekersforum geneem word, is van toepassing op alle “geregistreerde moerkwekers”.

REGULATIONS OF THE SEED POTATO GROWERS' FORUM, NATIONAL SEED POTATO COMMITTEE AND SEED POTATO PRODUCTION REGIONS

A. BACKGROUND

1. Potatoes South Africa (PSA) Voluntary is an organisation which, in terms of its Constitution:

    1.1 pursues the objectives as stipulated (see Appendix A); and
    1.2 consists of, amongst others, members who produce seed potatoes for the market; and
    1.3 for the purpose of achieving its objectives, is entitled to establish certain committees.

2. PSA decided to establish certain committees in respect of the seed potato industry.

3. The purpose of this document is to regulate the rules/constitutions of these committees.

B. SEED POTATO GROWERS’ FORUM

1. STATUS

The Seed Potato Growers’ Forum is the highest authority in the seed potato industry.

1.1 The Seed Potato Growers’ Forum (Forum) is the representative institution for PSA members that register seed potato plantings under the South African Seed Potato Certification Scheme and are deemed to be “registered seed potato growers” with Potato Certification Service (“registered seed potato growers”) or a registered representative of “registered seed potato growers”, on condition that the representative must be directly involved in the registered cultivation of seed potatoes.

1.2 Decisions taken by the Seed Potato Growers’ Forum are applicable to all “registered seed potato growers”.

1.3 Die Moerkwekersforum dien as die platform waar alle rolspelers in die moerbedryf hulle insette kan lewer

2. DOELSTELLINGS

Die doelstellings van die Moerkwekersforum is as volg:

2.1 Om as gespreksforum te dien en om besluite rakende die moerbedryf te maak.

2.2 Die bepaling van behoeftes van die moerbedryf vanaf grondvlak en die prioritisering daarvan.

2.3 Die identifisering en prioritisering van navorsingsprojekte om behoeftes aan te spreek.

2.4 Die identifisering van behoeftes ten opsigte van die sertifisering van aartappelmoere.

2.5 Die identifisering van behoeftes ten opsigte van die verhandeling van aartappelmoere.

2.6 Die maak van aanbevelings aan die Onafhanklike Sertifiseringsraad vir Aartappelmoere rakende:

2.6.1 behoefte ten opsigte van die sertifisering van aartappelmoere;

2.6.2 wysiging van die Suid-Afrikaanse Aartappelmoersertifisering-skema.

2.7 Die verwysing van besluite na die onderskeie komitees en instansies betrokke by die moerbedryf, met dien verstande dat sulke besluite in nasionale belang van die totale aartappelbedryf is.

2.8 Disseminasie van inligting.

2.9 Bepaal die addisionele magte en pligte van die Nasionale Moerekomitee (NMK)

1.3 The Seed Potato Growers' Forum serves as the platform where all role players in the seed potato industry can give input.

2. OBJECTIVES

The objectives of the Seed Potato Growers' Forum are as follows:

2.1 To serve as a discussion forum and to make decisions regarding the seed potato industry.

2.2 The identification and prioritisation of needs within the seed potato industry from ground level.

2.3 The identification and prioritisation of research projects to address needs.

2.4 The identification of needs in respect of the certification of seed potatoes.

2.5 The identification of needs in respect of the trade in seed potatoes.

2.6 The making of recommendations to the Independent Certification Council for Seed Potatoes regarding:

2.6.1 needs in respect of the certification of seed potatoes;

2.6.2 amendment of the South African Seed Potato Certification Scheme.

2.7 The referral of decisions to the respective committees and institutions involved in the seed potato industry, on condition that such decisions are in the national interest of the overall potato industry.

2.8 Dissemination of information.

2.9 Determining the additional powers and duties of the National Seed Potato Committee (NSPC)

3. SAMESTELLING

3.1 Die Forum sal bestaan uit die volgende lede as afgevaardigdes met besluitnemingsmagte en stemreg:

3.1.1 Die Nasionale Moerekomitee.

3.1.2 Addisionele “geregistreerde moerkwekers” (of 'n verkose verteenwoordiger van “geregistreerde moerkwekers” met die voorbehoud dat die verteenwoordiger direk betrokke moet wees by die geregistreerde verbouing van aartappelmoere), bepaal uit die onderskeie produksiegebiede, soos gedefinieer in die Konstitusie van ASA, waar geregistreerde moer-aanplantings plaasvind, deur aan elk van hiérdie produksiegebiede ’n aantal afgevaardigdes toe te wys *pro rata* met die totale moerproduksie van daardie produksiegebied in verhouding tot die totale moerproduksie van al die produksiegebiede saam, maar met dien verstande dat:

- Om as ’n afgevaardigde te kwalifiseer moet ’n produksiegebied gemiddeld 50 000 x 25kg houers en meer, oor ’n tydperk van 3 jaar sertifiseer; en

- Indien ’n produksiegebied vir 2 agtereenvolgende jare nie 50 000 x 25kg houers en meer sertifiseer nie, kwalifiseer daardie produksiegebied nie meer vir ’n afgevaardigde nie en verval dit outomaties.

3.2 Nieteenstaande bogemelde, sal enige “geregistreerde moerkweker” geregtig wees om die Forum by te woon, maar sal nie oor besluitnemingsmagte of stemreg beskik nie.

4. FUNKSIONERING VAN DIE FORUM

4.1 Die Moerkwekersforum vergader eenmaal elke twee jaar, op die dag wat die aanvang van die Kongres van ASA voorafgaan en op dieselfde plek as die Kongres van ASA.

3. COMPOSITION

3.1 The Forum shall consist of the following members as delegates, with decision-making powers and voting rights:

3.1.1 The National Seed Potato Committee

3.1.2 Additional “registered seed potato growers” (or an elected representative of “registered seed potato growers”, on condition that the representative must be directly involved in the registered cultivation of seed potatoes), identified from the respective production regions, as defined in the PSA Constitution, where registered seed potato plantings take place, by allocating to each of these production regions a certain number of delegates, *pro rata* with the total seed potato production of that production region, in relation to the total seed potato production of all the production regions together, but on condition that:

- To qualify as a delegate, a production region must certify an average of 50 000 x 25 kg containers and more, over a period of three years; and

- If a production region fails to certify 50 000 x 25 kg containers and more for two consecutive years, that production region no longer qualifies for a delegate and it automatically lapses.

3.2 Notwithstanding the above, any “registered seed potato grower” shall be entitled to attend the Forum, but shall not possess any decision-making powers or voting rights.

4. FUNCTIONING OF THE FORUM

4.1 The Seed Potato Growers’ Forum meets once every two years, on the day preceding the commencement of the PSA Congress and at the same venue as the PSA Congress.

4.2 Tydens die Moerkwekersforum word die Voorsitter deur die afgevaardigdes verkies vanuit die voorsitters van die 4 streke, naamlik; Noordelike, Oostelike, Westelike en Suidelike streke, van die Nasionale Moerekomitee. Hierdie persoon is dan ook outomaties die Voorsitter van die Nasionale Moerekomitee. So 'n Voorsitter mag egter nie 'n Voorsitter van 'n gebiedsbestuur van ASA wees nie. Die Voorsitter word vir 'n termyn van twee jaar aangestel en sal ook dien op die Nasionale Raad van ASA.

4.3 Die Forum moet die lede van die Nasionale Moerekomitee amptelik bevestig.

4.4 Besluite deur die Forum sal geskied deur ‘n meerderheid van stemme (50% plus 1%) en by staking van stemme staan die saak oor tot die volgende vergadering. Indien daar weer 'n staking van stemme is, word die aangeleentheid verwerp.

4.5 Die Voorsitter beskik nie oor 'n beslissende stem nie.

4.6 'n Minimum van twee-derdes van die afgevaardigdes na die Moerkwekersforum moet tydens die vergadering van die Moerkwekersforum in eie persoon aanwesig wees om 'n kworum te vorm.

4.7 Besluite wat geneem word tydens die Moerkwekersforum moet so gou moontlik daarna aan “geregistreerde moerkwekers” beskikbaar gestel word, sowel as aan die Nasionale Moerekomitee vir afhandeling.

4.8 Die Hoofuitvoerende Beampte en die personeel van ASA sal die administrasie en sekretariële pligte van die Forum behartig.

C. NASIONALE MOEREKOMITEE

1. STATUS

Wanneer die Moerkwekersforum nie in sitting is nie, is die Nasionale Moerekomitee verantwoordelik vir die werksaamhede van die Moerkwekersforum en het die verpligting om die doelstellings van die Forum na te streef.

4.2 During the Seed Potato Growers’ Forum, the Chairperson is elected by the delegates from among the chairpersons of the four regions, namely; the Northern, Eastern, Western and Southern regions, of the National Seed Potato Growers’ Committee. This person is then also automatically the Chairperson of the National Seed Potato Committee. Such a chairperson may, however, not be a chairperson of a PSA Regional Committee. The Chairperson is appointed for a term of two years and shall also serve on the PSA National Council.

4.3 The Forum must officially confirm the members of the National Seed Potato Committee.

4.4 Decisions of the Forum shall be made by a majority of votes (50 % plus 1 %), and in the case of a tie of votes, the matter shall be postponed to the next meeting. Should there be another tie of votes, the matter is rejected.

4.5 The Chairperson does not have a casting vote.

4.6 A minimum of two thirds of the delegates to the Seed Potato Growers’ Forum must be in attendance during the meeting of the Seed Potato Growers’ Forum to form a quorum.

4.7 Decisions taken during the Seed Potato Growers’ Forum must as soon as possible be made available to “registered seed potato growers” and to the National Seed Potato Committee for finalisation.

4.8 The Chief Executive Officer and the personnel of PSA shall attend to the administrative and secretarial duties of the Forum.

C. NATIONAL SEED POTATO COMMITTEE

1. STATUS

When the Seed Potato Growers’ Forum is not in session, the National Seed Potato Committee is responsible for the activities of the Seed Potato Growers’ Forum and has a duty to pursue the objectives of the Forum.

Die Nasionale Moerekomitee rapporteer aan die Moerkwekersforum. Enige addisionele magte, bevoegdhede of verantwoordelikhede van die Nasionale Moerekomitee sal van tyd tot tyd deur die Moerkwekersforum bepaal word. Die lede van die Nasionale Moerekomitee het besluitnemingsmagte en besluite deur die Nasionale Moerekomitee geneem, is met inagneming van die magte, bevoegdhede en verantwoordelikhede van die Komitee, op alle "geregistreerde" moerkwekers van toepassing.

2. SAMESTELLING

2.1 Die Nasionale Moerekomiteelede bestaan uit:

2.1.1 **Nege "geregistreerde moerkwekers"** (of 'n verkose verteenwoordiger van "geregistreerde moerkwekers", met die voorbehoud dat die verteenwoordiger direk betrokke moet wees by die geregistreerde verbouing van aartappelmoere) bepaal uit die onderskeie **moerproduksiestreke en -gebiede**, soos gedefinieer in die Konstitusie van ASA, waar geregistreerde moer-aanplantings plaasvind, bestaande uit die volgende, maar met dien verstande dat:

- Om vir 'n lid te kwalifiseer, moet 'n produksiegebied gemiddeld 50 000 x 25kg houers en meer oor 'n tydperk van 3 jaar sertifiseer; en
- Indien 'n produksiegebied vir 2 agtereenvolgende jare nie 50 000 x 25kg houers en meer sertifiseer nie, kwalifiseer daardie gebied nie meer vir 'n lid nie en verval sy lidmaatskap outomaties.

2.1.1.1 **Per produksiestreek:**

Vier "geregistreerde moerkwekers" (of hul verkose verteenwoordigers met die voorbehoud dat die verteenwoordigers direk betrokke moet wees by die geregistreerde verbouing van aartappelmoere), een **afkomstig uit elke streek** soos gedefinieer in die Konstitusie van ASA, en welke streekslid aangewys word gesamentlik deur die produksiegebiede, soos gedefinieer in die Konstitusie van ASA, wat binne daardie streek val.

The National Seed Potato Committee reports to the Seed Potato Growers' Forum. Any additional powers, capacities or responsibilities of the National Seed Potato Committee shall from time to time be determined by the Seed Potato Growers' Forum. The members of the National Seed Potato Committee have decision-making powers, and decisions taken by the National Seed Potato Committee are, in consideration of the powers, capabilities and responsibilities of the Committee, applicable to all "registered seed potato growers".

2. COMPOSITION

2.1 The National Seed Potato Committee members consists of:

2.1.1 **Nine "registered seed potato growers"** (or an elected representative of "registered seed potato growers", on condition that the representative must be directly involved in the registered cultivation of seed potatoes) identified from the respective **seed potato production regions and areas**, as defined in the PSA Constitution, where registered seed potato plantings take place, consisting of the following, but on condition that:

- To qualify for a member, a production area must certify an average of 50 000 x 25 kg containers and more over a period of three years; and
- If a production area fails to certify 50 000 x 25 kg containers and more for two consecutive years, that region no longer qualifies for a member and its membership automatically lapses.

2.1.1.1 **Per production region:**

Four "registered seed potato growers" (or their elected representatives, on condition that the representatives must be directly involved in the registered cultivation of seed potatoes), one **from each region** as defined in the PSA Constitution, and which regional member is appointed jointly by the production areas, as defined in the PSA Constitution, which falls within that region.

Waar ’n produksiegebied nie in terme van *pro rata* bydrae vir ’n addisionele lid kwalifiseer nie (soos bepaal in Seksie C 2.1.2) en die ander produksiegebiede in ’n streek wel, sal die produksiegebied wat nie ingevolge voorafgaande kwalifiseer nie, ingevolge die streek aangewys word.

2.1.1.2 ’n Verdere **vyf “geregistreerde moerkwekers”** (of hul verkose verteenwoordigers met die voorbehoud dat die verteenwoordigers direk betrokke moet wees by die geregistreerde verbouing van aartappel-moere), word aangewys deur die geregistreerde moerkwekers van 'n produksiegebied ooreenkomstig die **proporsionele produksie van moere** per produksiegebied, in verhouding tot die totale moerproduksie van al die produksiegebiede saam.

Die proporsionele toedeling op grond van bydrae tot produksie sal van tyd tot tyd deur die Nasionale Moerekomitee self vasgestel word en gebaseer word op die gemiddelde produksie van 25 kg houers per jaar oor 'n tydperk van drie jaar.

2.1.2 Een lid van en aangewys deur **NUMPRO**.

2.1.3 Twee persone, een uit die **slapskyfie** en een uit die **droë skyfie** sub-sektore, soos aangewys deur die Aartappel en Groente Prosesseringsforum.

2.1.4 Twee **tafelprodusente** aangewys deur die Nasionale Raad van ASA.

2.1.5 OSRA se voorsitter kan die vergadering op uitnodiging bywoon, maar word nie as ‘n lid geag nie en het nie stemreg nie.

Where a production area does not, in terms of a *pro rata* contribution, qualify for an additional member (as determined in Section C 2.1.2), but the other production areas in a region do qualify, the production area that does not qualify in terms of the aforesaid, shall be appointed in accordance with the region.

2.1.1.2 A further **five “registered seed potato growers”** (or their elected representatives on condition that the representatives must be directly involved in the registered cultivation of seed potatoes) are appointed by the “registered seed potato growers” of a production region in accordance with the **proportional production of seed potatoes** per production region, in relation to the overall seed potato production of all the production regions together.

The proportional allocation on the basis of contributions to production shall be determined from time to time by the National Seed Potato Committee itself, based on the average production of 25 kg containers per year over a period of three years.

2.1.2 One member of and appointed by **NUMPRO**.

2.1.3 Two individuals, one from the **French fry subsector** and one from the **crisping** subsector, as appointed by the Potato and Vegetable Processing Forum.

2.1.4 Two **table producers** appointed by the PSA National Council.

2.1.5 The ICCSP Chairperson can attend the meeting on invitation, but is not considered a member and has no voting rights.

2.2 Ongeag wie die vergaderings van die Komitee as waarnemers of gekoöpteerde kundiges mag bywoon, het slegs die persone soos uiteengesit in C 2.1.1 tot 2.1.5 hierbo, besluitnemingsmagte en stemreg op vergaderings.

3. FUNKSIONERING

3.1 Die **Voorsitter** van die **Moerkwekersforum** is ***ex officio*** ook voorsitter van die **Nasionale Moerekomitee** en wel vir die termyn wat die persoon as voorsitter van die Moerkwekersforum optree en verteenwoordig die moerbedryf op die Nasionale Raad van ASA.

3.2 Die Onder-Voorsitter van die Nasionale Moerekomitee word deur die Moerkwekerlede van die Nasionale Moerekomitee uit die geledere van die 4 voorsitters van die streke, naamlik: Noordelike, Oostelike, Westelike en Suidelike streke tydens die eerste vergadering van die Nasionale Moerekomitee na afloop van die Forum verkies en aangewys en sal ook dien as Onder-Voorsitter van die Moerkwekersforum.

3.3 Indien die Voorsitter en die Onder-Voorsitter van die Komitee ten tye van 'n geskeduleerde vergadering van die Komitee afwesig is, stel die teenwoordige lede 'n voorsitter uit hul geledere vir die duur van die betrokke vergadering aan.

3.4 Indien 'n vakature op die Nasionale Moerekomitee sou ontstaan, moet die Sekretaris van die Moerkwekersforum sonder versuim daarvan in kennis gestel word. Die Moerkwekersforum moet by ontvangs van sodanige kennisgewing, of binne 'n redelike tydperk daarna, die vakature vul deur die persoon aan te stel wat deur die betrokke produksiegebied aangewys word.

3.5 Die **Hoofuitvoerende Beampte en personeel van ASA het sitting op die vergadering** en is verantwoordelik vir die sekretariële verpligtinge en die administrasie van die aktiwiteite van die Nasionale Moerekomitee.

2.2 Irrespective of who may attend Committee meetings as observers or co-opted experts, only the individuals as stipulated in C 2.1.1 to 2.1.5 above, have decision-making powers and voting rights at meetings.

3. FUNCTIONING

3.1 The **Chairperson** of the **Seed Potato Growers' Forum** is ***ex officio*** also Chairperson of the **National Seed Potato Committee** for the term that the person serves as Chairperson of the Seed Potato Growers' Forum and represents the seed potato industry on the PSA National Council.

3.2 The Vice-Chairperson of the National Seed Potato Committee is elected and appointed from among the four chairpersons of the regions, namely: Northern, Eastern, Western and Southern regions, by the seed potato grower members of the National Seed Potato Committee during the first meeting of the National Seed Potato Committee on conclusion of the Forum and shall also serve as Vice-Chairperson of the Seed Potato Growers' Forum.

3.3 Should the Chairperson and Vice-Chairperson of the Committee be absent from a scheduled meeting of the Committee, the members in attendance shall appoint a chairperson from amongst the members for the duration of the meeting in question.

3.4 Should a vacancy arise on the National Seed Potato Committee, the Secretary of the Seed Potato Growers' Forum, must be notified thereof without delay. Upon receipt of such notification, or within a reasonable period thereafter, the Seed Potato Growers' Forum must fill the vacancy by appointing the person nominated by the relevant production region.

3.5 The **Chief Executive Officer and personnel of PSA have sitting at the meeting** and are responsible for the secretarial duties and the administration of the activities of the National Seed Potato Committee.

3.6 Die **Besturende Direkteur van Aartappelsertifiseringsdiens (ASD)** en **Hoofuitvoerende Beampte van Plantovita**, sowel as tegniese personeel vanuit ASD en Plantovita **het sitting op die vergadering.**

3.7 Die Nasionale Moerekomitee vergader drie maal per jaar, waarvan een vergadering direk na afloop van die Moerkwekersforum gehou word om besluite van die Moerkwekersforum deur te voer en na die betrokke instansies/komitees binne die aartappelbedryf te verwys.

3.8 Die Nasionale Moerekomitee vergader altyd in Pretoria, behalwe vir die vergadering wat direk na afloop van die Moerkwekersforum by dieselfde lokaliteit as die Forum plaasvind.

3.9 Sake word deur 'n meerderheid van stemme (50% plus 1) van lede of verteenwoordigers teenwoordig by die vergadering beslis en by 'n staking van stemme staan die saak tot die volgende vergadering oor. Indien daar weer 'n staking van stemme sou ontstaan, word die aangeleentheid verwerp.

3.10 Die Voorsitter beskik slegs oor 'n gewone stem en nie 'n beslissende stem nie.

3.11 'n Minimum van twee derdes van die lede van die Nasionale Moerekomitee moet tydens 'n vergadering van die Komitee in eie persoon aanwesig wees om 'n kworum te vorm.

D. MOERPRODUKSIESTREKE

1. STATUS

Wanneer die Moerkwekersforum en Nasionale Moerekomitee nie in sitting is nie, is die komitee wat ’n moerproduksiestreek verteenwoordig, verantwoordelik vir die werksaamhede van die Moerkwekersforum en het die verpligting om die doelstellings van die Forum na te streef. Hiérdie komitee rapporteer aan die Nasionale Moerekomitee.

3.6 The **Managing Director of the Potato Certification Service (PCS)** and **the Chief Executive Officer of Plantovita**, as well as technical personnel of PCS and Plantovita.

3.7 The National Seed Potato Committee meets three times per year, with one meeting being held directly after the Seed Potato Growers’ Forum to execute decisions of the Seed Potato Growers’ Forum and to refer such decisions to the relevant institutions/committees within the potato industry.

3.8 The National Seed Potato Committee always meets in Pretoria, with the exception of the meeting that takes place directly after the Seed Potato Growers’ Forum, at the same venue as the Forum.

3.9 Matters are decided by a majority of votes (50 % plus 1) of members or representatives present at the meeting, and in the event of a tie of votes, the matter is postponed until the next meeting. Should there be another tie of votes, the matter is rejected.

3.10 The Chairperson only has an ordinary vote and not a casting vote.

3.11 A minimum of two thirds of the members of the National Seed Potato Committee must be personally in attendance at a meeting of the Committee to form a quorum.

D. SEED POTATO PRODUCTION REGIONS

1. STATUS

When the Seed Potato Growers’ Forum and National Seed Potato Committee is not in session, the committee representing a seed potato production region is responsible for the activities of the Seed Potato Growers’ Forum and has a duty to pursue the objectives of the Forum. This committee reports to the National Seed Potato Committee.

2. SAMESTELLING

2.1 "**Geregistreerde moerkwekers"** (of 'n verkose verteenwoordiger van "geregistreerde moerkwekers", met die voorbehoud dat die verteenwoordiger direk betrokke moet wees by die geregistreerde verbouing van aartappelmoere), **verteenwoordigend van die onderskeie moerproduksiegebiede per moerproduksiestreek** soos gedefinieer in die Konstitusie van ASA, vorm hierdie komitee.

3. FUNKSIONERING

3.1 'n Komitee van 'n **moerproduksiestreek**, bestaande uit "geregistreerde moerkwekers" (of 'n verkose verteenwoordiger van "geregistreerde moerkwekers", met dié voorbehoud dat die verteenwoordiger direk betrokke moet wees by die geregistreerde verbouing van aartappelmoere), sal ten minste twee maal per jaar vergader op 'n plek en datum soos vasgestel deur die komitee, waarvan een van hierdie vergaderings sal plaasvind voor die vergadering van die Nasionale Moerekomitee, welke vergadering in Junie sal plaasvind.

3.2 Moerproduksiegebiede wat verkies om per moerproduksiegebied ook te vergader, verkies op gebiedsvlak 'n Voorsitter en Onder-Voorsitter vanuit die geledere van "geregistreerde moerkwekers" (of 'n verkose verteenwoordiger van "geregistreerde moerkwekers", met dié voorbehoud dat die verteenwoordiger direk betrokke moet wees by die geregistreerde verbouing van aartappelmoere).

3.3 Elke twee jaar, tydens die vergadering van 'n moerproduksiestreek, nie minder as een maand voor die Nasionale Moerekomitee-vergadering in Junie nie, sal 'n Voorsitter en Onder-Voorsitter uit die geledere van die Voorsitters van die onderskeie moerproduksiegebiede, wat daarvoor kwalifiseer in terme van Seksie C.2.1, wat binne 'n bepaalde moerproduksiestreek gesetel is, gekies word vir amptelike bevestiging tydens die Moerkwekersforum. Indien meer as een persoon benoem word, sal die kandidaat wat die minste stemme verwerf telkens geëlimineer word, totdat een persoon 'n volstrekte meerderheid behaal.

2. COMPOSITION

2.1 "**Registered seed potato growers"** (or an elected representative of "registered seed potato growers", on condition that the representative must be directly involved in the registered cultivation of seed potatoes), **representative of the respective seed potato production areas per seed potato production region,** as defined in the PSA Constitution, constitute this committee.

3. FUNCTIONING

3.1 A committee of a **seed potato production region**, consisting of "registered seed potato growers" (or an elected representative of "registered seed potato growers", on condition that the representative must be directly involved in the registered cultivation of seed potatoes), shall meet at least twice per year on a date and at a place as determined by the committee, with one of these meetings taking place prior to the meeting of the National Seed Potato Committee, which shall take place in June.

3.2 Seed potato production areas that prefer to also meet per seed potato production area elect a Chairperson and Vice-Chairperson on area level from amongst the "registered seed potato growers" (or an elected representative of "registered seed potato growers", on condition that the representative must be directly involved in the registered cultivation of seed potatoes).

3.3 Every two years, during the meeting of a seed potato production region, not less than one month prior to the National Seed Potato Committee meeting in June, a Chairperson and Vice-Chairperson shall be elected from amongst the chairpersons of the respective seed potato production areas, which qualify in accordance with Section C.2.1 and which are seated within a specific seed potato production region, for official confirmation during the Seed Potato Growers' Forum. Should more than one person be nominated, the candidate who receives the fewest votes each time shall be eliminated until one person achieves an outright majority.

3.4 Die komitee sal ’n jaarlikse begroting opstel met die oog op die befondsing van die komitee vir voorlegging aan ASA.

3.5 Behoorlike notules sal van alle vergaderings en goedgekeurde besluite gehou word.

3.6 Die komitee sal alle nominasies tot organisasies waar lede in die betrokke moerproduksiestreek setels het, behartig.

3.7 Die kennisgewings van vergaderings van die komitee sal:

3.7.1 uitgereik word deur middel van skriftelike kennisgewings wat nie minder nie as (21) volle dae voor die datum van die vergadering uitgestuur moet word;

3.7.2 die kennisgewing sal die dag uitsluit waarop dit bedien word of geag bedien te word en die dag waarvoor dit uitgereik word. Dit sal die plek, die dag, die uur en die sake van die vergadering spesifiseer;

3.7.3 ’n Vergadering, nieteenstaande die feit dat dit op korter kennisgewing byeen geroep is as wat in hierdie paragraaf bepaal word, word geag as behoorlik byeen geroep indien so daartoe ooreengekom word deur negentig persent van die lede;

3.7.4 Enige kennisgewing per pos, sal geag word as afgelewer teen die vyfde dag ná die dag waarop die brief wat die kennisgewing bevat, gepos is. Kennis wat per faks of elektroniese pos geskied, sal geag word as afgelewer op die volgende besigheidsdag ná versending. Deur bewys te lewer dat die kennisgewing gepos is, sal voldoende bewys wees dat die brief wat die kennisgewing bevat, behoorlik geadresseer, voorafbetaal en gepos is. In die geval van ’n faks of elektroniese pos, sal dit voldoende wees as bewys kan word dat die kennisgewing aan die korrekte adres versend is; en

3.7.5 Niks wat in hierdie reglement vervat is, verbied die komitee om ’n vergadering geheel en al deur middel van elektroniese kommunikasie te hou nie.

3.4 The committee shall draw up an annual budget in view of the funding of the committee, for presentation to PSA.

3.5 Proper minutes shall be kept of all meetings and approved decisions.

3.6 The committee shall handle all nominations to organisations where members have seats in the relevant seed potato production region.

3.7 Notices of meetings of the committee shall:

3.7.1 be issued by means of written notices sent out not fewer than twenty-one 21) full days prior to the date of the meeting;

3.7.2 the notice shall exclude the day on which it is served or deemed to be served and the day for which it is issued. It shall specify the day, the time and the agenda items of the meeting;

3.7.3 A meeting, notwithstanding the fact that it is convened on shorter notice than stipulated in this paragraph, is deemed to be properly convened if agreed upon as such by ninety present of the members;

3.7.4 Any notice by mail shall be deemed to have been delivered by the fifth day after the day on which the letter containing the notice was mailed. Notice by fax or electronic mail shall be deemed to have been delivered on the next business day after dispatch. Proof that the notice was mailed, shall be sufficient proof that the letter containing the notice was properly addressed, prepaid and mailed. In the case of a fax or electronic mail, it shall be sufficient if it can be proven that the notice was sent to the correct address; and

3.7.5 Nothing contained in these regulations prohibits the committee from holding a meeting completely and fully through electronic communication.

4. MAGTE EN PLIGTE VAN DIE KOMITEE VAN DIE MOERPRODUKSIESTREKE

4.1 Behartig die belange van al die “geregistreerde moerkwekers” in die betrokke moerproduksiestreke op plaaslike vlak soos vervat in Seksie B.2, sowel as in die breër organisatoriese struktuur van die Organisasie;

4.2 Voer veldtogte vir die ontwikkeling van die aartappelbedryf, en spesifiek die moerbedryf, met inbegrip van die bewaring van die aardse en waterhulpbronne, die onderhoud en verbetering van grondvrugbaarheid en verbeterde produksie- en bemarkingsmetodes in 'n gebalanseerde boerderyskema;

4.3 Streef daarna om samewerking en deelname ten volle uit te bou en om die betrokkenheid van alle “geregistreerde moerkwekers” (of 'n verkose verteenwoordiger van “geregistreerde moerkwekers”, met dié voorbehoud dat die verteenwoordiger direk betrokke moet wees by die geregistreerde verbouing van aartappelmoere) in hulle moerproduksiestreek te verkry om 'n atmosfeer van *esprit de corps* (samehorigheidsgevoel) in die hand te werk;

4.4 Neem besluite namens die “geregistreerde moerkwekers” (of 'n verkose verteenwoordiger van “geregistreerde moerkwekers”, met die voorbehoud dat die verteenwoordiger direk betrokke moet wees by die geregistreerde verbouing van aartappelmoere) rakende alle sake wat met die moerbedryf verband hou in die betrokke streek en moet alle sake van nasionale belang vir koördinasie na die Nasionale Moerekomitee verwys;

4.5 Bewerkstellig kommunikasie met ander aartappelproduksiestreke en organisasies op 'n gereelde basis om sake van onderlinge en nasionale belang te bespreek. Dit beteken die versameling en verspreiding van inligting aan alle rolspelers en besluitneming in dié verband;

4. POWERS AND DUTIES OF THE COMMITTEE OF THE SEED POTATO PRODUCTION REGIONS

4.1 Protect the interests of all “registered seed potato growers” in the relevant production regions at local level as contained in Section B.2, as well as in the broader organisational structure of the organisation;

4.2 Conduct campaigns for the development of the potato industry, and specifically the seed potato industry, taking into account the conservation of natural and water resources, the maintenance and improvement of soil fertility, and improved production and marketing methods in a balanced farming scheme;

4.3 Strive to fully develop co-operation and participation and to ensure the involvement of all “registered seed potato growers” (or an elected representative of “registered seed potato growers”, on condition that the representative must be directly involved in the registered cultivation of seed potatoes) in their seed potato production region, to create an atmosphere of *esprit de corps* (morale or loyalty);

4.4 Make decisions on behalf of the “registered seed potato growers” (or an elected representative of “registered seed potato growers”, on condition that the representative must be directly involved in the registered cultivation of seed potatoes) regarding all matters related to the seed potato industry in the relevant region, and all matters of national interest must be referred to the National Seed Potato Committee for co-ordination;

4.5 Establish communication with other potato production regions and organisations on a regular basis to discuss matters of mutual and national interest. This means the collection and dissemination of information to all role players and decision making in this regard;

4.6 Hou die streek se “geregistreerde moerkwekers” (of 'n verkose verteenwoordiger van “geregistreerde moerkwekers”, met dié voorbehoud dat die verteenwoordiger direk betrokke moet wees by die geregistreerde verbouing van aartappelmoere) op hoogte van alle sake wat die aartappelbedryf raak;

4.7 Streef daarna om samewerking en betrokkenheid deur alle verskaffers by aktiwiteite te betrek;

4.8 Bepaal die opdrag, verantwoordelikhede en verslagvlakke van die komitee en sien toe dat dit behoorlik funksioneer;

4.9 Sien toe dat administratiewe en sekretariële ondersteuning aan die moerproduksiestreek verskaf word en evalueer dit ook voortdurend om toe te sien dat 'n optimale en kostedoeltreffende diens gelewer word;

4.10 Hanteer alle sake objektief en op meriete;

4.11 Wys afgevaardigdes uit daardie streke per moerproduksiegebied aan om die Moerkwekersforum by te woon ingevolge die bepalings van Seksie B.3;

4.12 Die daaropvolgende vergadering van moerproduksiestreek te reël; en

4.13 Enige buitengewone vergadering te reël indien so versoek deur drie of meer lede van die moerproduksiestreek.

4.6 Keep the region’s “registered seed potato growers” (or an elected representative of “registered seed potato growers”, on condition that the representative must be directly involved in the registered cultivation of seed potatoes) updated on all matters affecting the seed potato industry;

4.7 Strive to secure co-operation and involvement from all suppliers in activities;

4.8 Determine the assignment, responsibilities and reporting levels of the committee and ensure that it functions properly;

4.9 See to it that administrative and secretarial support is provided to the seed potato production region and also evaluate it on an ongoing basis to ensure the delivery of an optimal and cost-effective service;

4.10 Deal with all matters objectively and on merit;

4.11 Appoint delegates from those areas per seed potato production region to attend the Seed Potato Growers’ Forum in accordance with the provisions of Section B.3;

4.12 Arrange the subsequent meeting of the seed potato production region; and

4.13 Arrange any extraordinary meeting if requested to do so by three or more members of the seed potato production region.

AANHANGSEL A

UITTREKSEL UIT DIE KONSTITUSIE VAN AARTAPPELS SUID-AFRIKA VRYWILLIG

HOOFSTUK VIER: DOELWITTE

Die Organisasie het dit ten doel om die belange van die aartappelbedryf in Suid-Afrika te dien en dit sluit in, maar is nie beperk daartoe nie om:

4.1 vir die aartappelprodusent die beste moontlike ekonomiese en maatskaplike posisie in die Suid-Afrikaanse ekonomie te beding deur objektief te dien as die skakel tussen die Organisasie (produsente, hulle leiers en organisasie) en alle liggame (owerhede, sowel as privaat), wat ’n invloed op die aartappelbedryf uitoefen;

4.2 te dien as die mondstuk van die Suid-Afrikaanse aartappelprodusente;

4.3 deel te neem aan besluitneming en ander prosesse wat die belange van die aartappelbedryf raak;

4.4 deur gesamentlike optrede, die daarstelling te verseker van die nodige geriewe en dienste vir die aartappelbedryf en om die bedryf te organiseer en die nodige soorte dienste in ooreenstemming hiermee, daar te stel;

4.5 transformasieprogramme tot voordeel van die aartappelbedryf in te stel, insluitend, maar nie beperk nie, tot opkomende aartappelprodusente;

4.6 die belange van swart aartappelprodusente (insluitend swart opkomende aartappelprodusente) te erken deur voorsiening te maak vir die belange van sodanige aartappelprodusente in die Nasionale Raad van die Organisasie;

4.7 solidariteit en ’n gees van samewerking en samehorigheid tussen alle belanghebbende partye in die aartappelbedryf te ontwikkel;

4.8 te streef na die doeltreffende produksie en bemarking van aartappels in Suid-Afrika;

APPENDIX A

EXCERPT FROM THE CONSTITUTION OF POTATOES SOUTH AFRICA VOLUNTARY

CHAPTER FOUR: OBJECTIVES

The objective of the Organisation is to serve the interest of the Potato Industry in South Africa and includes, but is not limited to:

4.1 achieve for the potato producer the best possible economic and social position in the South African economy by objectively serving as the link between the organisation (producers, their leaders and organization) and all bodies (authorities, as well as private) exerting an influence on the potato industry;

4.2 serve as the mouthpiece of the South African potato producers;

4.3 participate on behalf of its members in decision-making and other processes affecting the interests of the potato industry;

4.4 ensure by joint conduct, the establishment of the necessary facilities and services for the potato industry and to organize the industry and to create the required types of services towards this end;

4.5 to instigate transformation programmes for the benefit of the potato industry, including, but not limited to, upcoming potato producers;

4.6 to recognise the interest of black potato producers (including black upcoming potato producers) by providing for such potato producers' interest on the National Council of the Organisation;

4.7 develop and promote solidarity and a spirit of co-operation and belonging amongst all interested parties in the potato industry;

4.8 strive towards the effective production and marketing of potatoes in South Africa;

4.9 enige besigheidsaktiwiteite of dienste te beperk tot sake en dienste wat die aartappelbedryf in Suid-Afrika bevorder;

4.10 enige besigheidsaktiwiteit of diens op sodanige wyse te struktureer dat finansiële belange en resultate deursigtig is en beskikbaar gestel word aan alle belanghebbende partye wat onafhanklik van die Organisasie bestaan;

4.11 die gekoördineerde mening van die aartappelprodusente aan die regering of ander owerhede of ander nie-regeringsorganisasies oor te dra en om op alle gebiede wat die welstand van die aartappelbedryf raak, met hulle saam te werk om probleme op te los en om die nodige wetgewing in werking te stel;

4.12 te streef na die stelselmatige ontwikkeling van ’n omgewingsvriendelike uitkyk van die aartappelbedryf, insluitend, onder andere, die bewaring van grond- en waterhulpbronne, die onderhoud en verbetering van grondvrugbaarheid en die verbetering van produksie- en bemarkingsmetodes;

4.13 optimale begrip tussen die aartappelprodusente en ander belangegroepe in die aartappelbedryf daar te stel, te bevorder en te handhaaf; en

4.14 in ooreenstemming met die gestelde doelwitte, alle lede streng volgens meriete te behandel en nooit uit ’n partypolitieke standpunt op te tree nie.

4.9 limit any business activity or services to matters and services which promote the potato industry of South Africa;

4.10 structure any business activity or service in such a manner that financial interests and results are transparent and are made available to all interested parties independent of the Organisation;

4.11 convey the co-ordinated opinion of the potato producers to the Government or other authorities or other non-governmental organizations and to co-operate with them in all matters affecting the well-being of the potato industry, the solving of problems and to affect the required legislation;

4.12 strive for the systematic development of an environment friendly outlook of the potato industry, including, *inter alia*, the preservation of the soil and water resources, the maintenance and improvement of the fertility of the land and improvement of production and marketing methods;

4.13 establish, promote and maintain optimum understanding between the potato producers and other interest groups in the potato industry; and

4.14 deal with all members strictly on their merits and never from a party-political point of view in the pursuit of the stated objects.

AANHANGSEL B

GESELEKTEERDE DEFINISIES UIT DIE KONSTITUSIE VAN AARTAPPELS SUID-AFRIKA VRYWILLIG

Aartappelprodusent beteken ’n boer wat aartappels vir die mark produseer:

1. vars aartappels (ook bekend as tafel- of eet-aartappels); of
2. vir verwerking; en/of
3. vir moere.

Boer beteken ’n persoon of entiteit wie se hoofbesigheid primêre landbou-aktiwiteite is.

Komitee beteken enige komitee, sub-komitee, staande komitee, funksionele komitee, forum, werkgroep, ens., wat deur die Organisasie tot stand gebring word.

Lid beteken:

1. ’n aartappelprodusent wat verplig is om statutêre heffings te betaal ingevolge die Wet op die Bemarking van Landbouprodukte 24/1996, of waar sodanige verpligting ontbreek, bereid is om die vrywillige heffings te betaal soos van tyd tot tyd deur die Kongres van die Organisasie bepaal word; en

2. kan óf ’n natuurlike persoon wees, óf ’n Trust/wetlike entiteit (soos verteenwoordig deur die genomineerde verteenwoordiger); en

3. wat die doelwitte van die Organisasie onderskryf.

APPENDIX B

SELECTED DEFINITIONS FROM THE CONSTITUTION OF POTATOES SOUTH AFRICA VOLUNTARY

Potato producer means a farmer who produces potatoes for marketing:

1. in the fresh form (also called table or ware potatoes); or
2. for processing; and/or
3. for seed

Farmer means a person or entity whose main business is that of primary agricultural activities.

Committee means any committee, sub-committee, standing committee, functional committee, forum, workgroup etc. formed by the Organisation.

Member means:

1. a potato producer who is obliged to pay statutory levies in terms of the Marketing of Agricultural Products Act 24/1996, or in the absence of such obligation is prepared to pay the voluntary levies as determined from time to time by Congress of the Organisation; and

2. can either be a natural person; or a Trust/legal entity (as represented by its nominated representative); and

3. who endorses the objects of the Organisation.

Organisasie	beteken Aartappels Suid-Afrika Vrywillig.
Produksiegebied	elk van die produksiegebiede van Sandveld; Ceres; Suid-Kaap; Suidwes-Kaap; Oos-Kaap; Noordoos-Kaap; Noord-Kaap; KwaZulu-Natal; Wes-Vrystaat; Oos-Vrystaat; Suidwes-Vrystaat; Mpumalanga; Limpopo; Noordwes; Gauteng en Loskopvallei; of enige ander produksiegebied wat deur die Organisasie geïdentifiseer mag word.
Streek	die Oostelike, Westelike, Noordelike en Suidelike streke en/of enige ander streke soos deur die Organisasie geïdentifiseer.
Noordelike streek	’n gebied bestaande uit die produksiegebiede van Limpopo, Mpumalanga, Gauteng en Loskopvallei.
Oostelike streek	’n gebied bestaande uit die produksiegebiede van KwaZulu-Natal, Oos-Vrystaat en Noordoos-Kaap.
Westelike streek	’n gebied bestaande uit die produksiegebiede van Noordwes, Noord-Kaap, Wes-Vrystaat en Suidwes-Vrystaat.
Suidelike streek	’n gebied bestaande uit die produksiegebiede van die Sandveld, Oos-Kaap, Ceres, Suid-Kaap en Suidwes-Kaap.

Organisation	means Potatoes South Africa Voluntary.
Production area	each of the production areas of Sandveld; Ceres; Southern Cape; South Western Cape; Eastern Cape; North Eastern Cape; Northern Cape; Kwazulu-Natal; Western Free State; Eastern Free State; South Western Free State; Mpumalanga; Limpopo; North West; Gauteng; and Loskop Valley; - each of these production areas consisting of the magisterial districts as indicated on Annexure "A" attached hereto or any other production area that maybe identified by the Organisation.
Region	the Eastern, Western, Northern and Southern Regions and/or any other regions identified by the Organisation.
Northern region	an area consisting of the Limpopo, Mpumalanga, Gauteng and Loskop Valley production areas.
Eastern region	an area consisting of the Kwazulu-Natal, Eastern Free State and North Eastern Cape production areas.
Western region	an area consisting of North West, Northern Cape, Western Free State and South Western Free State production areas.
Southern region	an area consisting of the Sandveld, Eastern Cape, Ceres, Southern Cape and South Western Cape production areas.

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CHAIRMAN

_____

DATE