

2018

TO

2021

BIENNIAL REPORT




agricultural business chamber
the way to prosperity

2018-2021 BIENNIAL REPORT

Agricultural Business Chamber (Agbiz)

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Strategy

Mission

Agbiz negotiates and positions for a favourable agribusiness environment that will allow its members to perform competitively and sustainably.

Agbiz culture and values

Agbiz is an inclusive, voluntary association of agribusinesses that cooperates positively and acts dynamically, creatively and with integrity. The culture at Agbiz is to subscribe to the values of ethical business, accountability, leadership, trust, competence, quality service and excellent communication.

Agbiz (the Agricultural Business Chamber) is
**a voluntary, dynamic and
influential association**
of agribusinesses operating in South Africa and southern Africa.

Strategic intent and core objectives

<p>1</p> <p>Core objective 1: To promote agribusinesses and Agbiz as key stakeholders and role players in the South African economy.</p>	<p>2</p> <p>Core objective 2: To influence the policy and legislative environment insofar as it affects agribusiness activities, by way of ongoing and professional interaction with all relevant government institutions.</p>	<p>3</p> <p>Core objective 3: To improve the commercial and sustainable agribusiness environment through liaison and cooperation with influential groupings within the business environment, both locally and internationally.</p>	<p>4</p> <p>Core objective 4: To support B-BBEE, transformation and development of emerging agribusiness and other role players in the agro-food value chain.</p>	<p>5</p> <p>Core objective 5: To supply unique, relevant and accessible agribusiness intelligence to support Agbiz programmes.</p>
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Strategic intent

The strategic intent of Agbiz is to advocate for and facilitate a favourable agribusiness environment that will allow its members to perform competitively and sustainably.

What is agribusiness? (UNIDO, 2011)

Agribusiness is a broad concept that covers input suppliers, agro-processors, traders, exporters and retailers. Agribusiness provides inputs to farmers and connects them to consumers through the financing, handling, processing, storage, transportation, marketing and distribution of agro-industry products.

These activities fall into four main groups:

<p>1</p> <p>Agricultural input industry for increasing agricultural productivity, such as agricultural machinery, equipment and tools; fertilisers, pesticides, insecticides; irrigation systems and related equipment.</p>	<p>2</p> <p>Agro-industry: Food and beverages; tobacco products, leather and leather products; textiles, footwear and garments; wood and wood products; rubber products; as well as construction industry products based on agricultural materials.</p>
<p>3</p> <p>Equipment for processing agricultural raw materials, including machinery, tools, storage facilities, cooling technology and spare parts.</p>	<p>4</p> <p>Various service, financing, marketing and distribution firms, including storage, transport, ICTs, packaging materials and design for better marketing and distribution.</p>

Foreword by the Chairman



▲ Mr Francois Strydom
Agbiz Chairman

The 2018 Agbiz biennial report was presented to our members amidst a sustained decline in South Africa's economic growth and a severe long-term drought over practically the whole of South Africa. Gross maladministration by and state capture within the Zuma administration, and the consequent corruption, had taken an enormous toll on South Africans, as evidenced by the drop in the per capita GDP of more than 25%, namely from US\$8066 to US\$5261 from 2011 to 2016 (World Economic Forum, 2018).

From September 2018 to September 2020 the Agbiz/IDC Agribusiness Confidence Index remained below the 50 index mark, indicating generally below-average business confidence in the sector. This was primarily due to the adverse weather conditions but was exacerbated by the poor economic conditions and outlook, as well as the outbreak of the Covid-19 pandemic in March 2020 and the resultant socio-economic hardship suffered by all South Africans due to the subsequent lockdown phases.



However, a major improvement in weather and rainfall conditions in 2020, coupled with improved crop yields and agricultural exports, and partial economic recovery, have lifted the Agribusiness Confidence Index above the 50 index mark and good production and market conditions, both locally and especially abroad, have given the local agribusiness environment a huge boost. While primary agriculture grew by 13,1% year on year in 2020, this growth was off a low base. Continued growth is expected in 2021, but will be more muted due to the base effect. Since the beginning of 2020, the South African Reserve Bank has swiftly cut interest rates by a cumulative 300 basis points year to date. For the agricultural sector with record debt levels of R187 billion, the relief that lower interest rates could bring is substantial. If all the debt is on flexible interest rates, we estimate that the lower interest rates have brought savings in debt servicing costs of roughly R5.6 billion for farmers in 2020. Our outlook therefore remains positive.

As the whole agro-food system was deemed an essential service, most industries suffered limited interruption in their business activities. However, non-essential industries were hit hard, and alcohol-related industries such as the wine industry were hit extremely hard. The fallout from

the impact of various bans on liquor sales on these industries will unfortunately still play out over the next couple of years. We trust that the government will do the right thing and provide the necessary support to save businesses and jobs in these industries. Agbiz has been involved in various initiatives to bring stability to these industries and to seek tangible support from the government.

The Covid-19 virus has caused the most notable disruption for mankind in the last seven decades or more, and we have all had to adapt fast and drastically in an attempt to limit damage and get the balance between lives and livelihoods right. Agbiz has played an extraordinary role through Minister Didiza's Covid Response Task Team, as well as through BUSA and Nedlac engagements, and also on various other platforms, such as Business for South Africa (B4SA) and the President's Economic Advisory Council, and through bilateral engagements with various ministers and government departments.

At this stage we do not know whether control of the virus will ever allow a return to business as usual, or whether a new normal will develop. The latter is probably by far the stronger possibility and could very well have an impact on how Agbiz conducts



its important work and service on behalf of its members in future. Agbiz's Steering Committee is already engaged in this process as it will also affect the appointment of the new CEO of Agbiz later this year.

South Africa, including its all-important agriculture and agribusiness sector, faces a range of diverse and critical challenges on the road ahead. It is in pursuit of our optimistic, but nevertheless realistic, approach to both opportunities and challenges that Agbiz will continue to spearhead a wide variety of activities, across a wide range of disciplines, to advocate for policies, legislation, regulations and programmes that we believe are in the best interest of, firstly, South Africa, and secondly our members and the agricultural sector as a whole. This is a huge and possibly daunting undertaking, but we at Agbiz believe our efforts and goals are realistic and objective, based on an evidence-based approach. This considered approach has contributed greatly to the respect and appreciation Agbiz enjoys as a voice for agribusiness in particular and the economy in general. Our members operate within a wide range of economic sectors and subsectors in the agricultural and other value chains, and we can speak and act on many aspects that do not fall within the ambit of a narrow definition of

agribusiness. The detailed information contained in our biennial report is testimony to this.

The Zondo Commission has laid bare the culture of state capture and endemic corruption in large sections of government, state-owned enterprises and the private sector in recent years. A huge trust deficit has developed in South Africa and Agbiz and each one of its members need to continue playing a pro-active role in building bridges and conducting ethical business in all our endeavours. To this end, Agbiz has revisited its Code of Conduct, in line with the King IV code of governance, and will present this code for adoption at this annual general meeting. Principled and strong leadership is required from all of us to make South Africa a better place for all.

Membership

A steady increase in Agbiz membership was again experienced over the past three years. We extend a warm welcome to our new members and invite you to participate fully in the activities of Agbiz. Our membership now comprises an impressive collective of prominent entities and key role players across the whole spectrum of the food, fibre and wine value chain. The diversity of our 102 members, unified in a unitary agribusiness organisation,

greatly underscores the ability of Agbiz to speak with authority and exercise an impressive mandate on behalf of its members. The combined contribution of Agbiz members to the total GDP of the country is significant and impressive. This also explains why Agbiz is continually sought after and is involved in bodies such as Nedlac, BUSA, various agricultural commodity trusts, and a whole host of other local and international bodies and forums. Sadly, a couple of members have resigned during the past three years. The reasons for this have been followed up and we are satisfied that members that do decide to terminate their membership do so not because they believe that Agbiz does not offer them a value proposition, but rather because of external factors. There has also been keen participation by members in the activities of Agbiz. This engagement supports the efforts of Agbiz to stay abreast of members' needs and to adjust our product offerings to them on an ongoing basis.

Appreciation

I would like to express my sincere appreciation to the members of Agbiz who have supported the association with enthusiasm and vigour during the past three years. Meetings, briefings and workshops were attended in increasing numbers, and participation and contributions to our activities were also sustained at a high level. I am immensely proud of each of our members and their organisations – you have made a difference in your area!

The Steering Committee has done sterling work and supported the management of Agbiz. Individual members often represented Agbiz at meetings, thereby going beyond the call of duty, and for this I am also truly grateful. Messrs Koos Janse van Rensburg, Sean Walsh, Nico Groenewald and Dr Langa Simela have gone the extra yards – I thank you for that.

The Audit and Risk Committee once again functioned with expertise and experience and ensured that Agbiz's compliance and oversight were at a high level. They supported the administrative function by providing guidance and advice as well. The organisation owes the members of the Audit and Risk Committee – Messrs Stefan Oberholzer and André Uys, under the chairmanship of Mr Frans van Wyk – a debt of gratitude.

I wish to express my appreciation to a large number of people and organisations that contribute in many different ways to our success. Many of these working relationships have developed over time and much of our success is in no small measure due to their involvement. My gratitude and appreciation are hereby extended to them.

Some changes to our personnel complement have occurred in the reporting period. The staff members who have left, either for alternative opportunities or through retirement, have excelled in their commitment to Agbiz to the very end and I would like to acknowledge them for that. But it is the incumbent staff, under the leadership of our CEO, Dr John Purchase, who have again rendered outstanding service to Agbiz. I wish to extend my appreciation to every single member of this very special team of men and women. They are Wessel Lemmer, Michael Mokhorro, Stephanie van der Walt, Wandile Sihlobo, Theo Boshoff, Karen Grobler, Natasha van Zyl, Annelien Collins and Liezl Esterhuizen. The days and nights through which you have toiled to meet deadlines, the sheer volume of work that each and every one gets through in the office and at home, in meetings, in engagement with the media and so many other ways, remain more than impressive. I salute this very special team. Thank you – may God bless and sustain us all.

Overview from the CEO



▲ Dr John Purchase
Agbiz CEO

We have just emerged from a period of nearly three years that has seen Agbiz continuing to operate in an increasingly challenging environment, and also in an unprecedented environment this past year due to the Covid-19 pandemic and its disruptive consequences. The economic, socio-political and environmental factors impacting the sustainability of the agribusiness and agriculture environment are profound and complex, and require a proactive and evidence-based approach to problem-solving. With this ingrained approach and culture, Agbiz has again made considerable progress in a number of key focus areas emanating from its core objectives.

Adopting strategic and critical thinking as our approach, Agbiz has been pro-active in addressing the relevant issues and challenges confronting us, while Agbiz leadership and personnel have made great strides in positioning Agbiz to constructively and positively influence the South African agribusiness environment, to the benefit of not only its members but also society at large, so as to ensure improved investment, growth, job creation and food security.

With this ingrained approach and culture,
**Agbiz has again made
considerable progress**

in a number of key focus areas emanating from its core objectives.

The Steering Committee, comprising Mr Francois Strydom (Chairman), Mr Sean Walsh (Deputy Chairman), Dr Langa Simela (Deputy Chairperson), Mr Nico Groenewald, Mr Koos van Rensburg and Dr John Purchase (CEO), met regularly to address governance matters and strategic issues. Similarly, the Agbiz Council met regularly to provide mandates for positions on a range of policy matters and issues in the agribusiness environment. The Audit and Risk Committee, which was ably chaired by Mr Frans van Wyk and included Mr Stefan Oberholzer and Mr André Uys, performed their oversight work with a high level of diligence and professionalism.

Raison d'être

The members of Agbiz are the core reason for the existence of this voluntary association and as such the activities of Agbiz are directed at addressing the collective interests of the members and adding value to their business. To this end:

- Agbiz is the only organisation that serves the broader and common overarching business interests of agribusinesses in South Africa.
- Agbiz addresses the legislative and policy environment on the many fronts that it impacts in the agribusiness environment.

- Agbiz facilitates considerable networking opportunities so that South African agribusinesses can play an active and creative role within the local and international organised business environment.

Business affiliation and association

To achieve its challenging and varied goals, Agbiz is affiliated to Business Unity South Africa (BUSA) and participates in both the Economic Policy Committee (EconPol), including its subcommittees for Energy, Trade and & Logistics, Environment and Tax, and in the Social Policy Committee (Socpol), attending primarily to labour and developmental matters. The CEO also holds the position of Deputy Chairperson of EconPol, regularly chairs its meetings and represents BUSA in relevant matters when necessary.

The CEO of Agbiz is the current Convenor for Business in the Trade and Industry Chamber of Nedlac (National Economic Development and Labour Council), and Agbiz also has representation in the Labour Market Chamber, the Development Chamber and the Monetary and Fiscal Policy Chamber of Nedlac.



Given the emphasis the President of South Africa, Mr Cyril Ramaphosa, has placed on social dialogue at Nedlac, Agbiz is clearly very well positioned to effectively be of service to its members in addressing the critical challenges facing South Africa, and in particular its agro-food system.

A case in point this past year has been on the Companies Amendment Bill, arguably the most important piece of legislation for South Africa Incorporated, in which the CEO has played a leading role in engaging with Minister Ebrahim Patel and social partners through the Nedlac Trade and Industry Chamber. A further issue that has demanded much attention is the Nedlac Liquor Task Team and its focus on dialogue to deal with the successive alcohol bans during the pandemic, as well as to establish a social compact between social partners.

Agbiz is also an important member of the International Food and Agribusiness Management Association (IFAMA) and serves on the IFAMA Board. In 2019 the CEO was made a fellow of IFAMA in recognition of his contribution to this esteemed body. Agbiz is closely associated with various international organisations, such as the members of the World Bank Group, including the World Bank itself, the International Monetary Fund (IMF) and the International Finance Corporation (IFC), the Business and Industry Advisory Committee to the OECD (BIAC), the FAO, UNDP, AUC/CAADP, ACET, and others. Through Agbiz, members participate in a network that is widely recognised as an important, politically neutral and influential role player in the agribusiness sector of South Africa.

Key focus areas

Over the past three years Agbiz has focused primarily on the following important aspects, which have been identified as key strategic areas with a direct influence on agribusinesses in South Africa:

- The development of an Agriculture and Agro-processing Master Plan (AAMP), where Agbiz took the lead.
- Economic policy, specifically through the President's Economic Advisory Council (Mr Wandile Sihlobo), engagement on the National Development Plan – Vision 2030, but also on various other pieces of legislation, policy documents and matters relating to the Reserve Bank.
- Round-table meetings impacting on the economic environment. Participation in the BUSA Economic Policy Committee is also of profound importance. Mr Sihlobo further serves as a council member of Statistics SA, as well as a commissioner of the International Trade Administration Commission (ITAC).
- International trade and investment, including South Africa's trade policy. Engagement is primarily through Teselico, which is the trade subcommittee of Nedlac TIC.
- Agricultural and agribusiness finance, with a strong focus on establishing a blended finance system as a Jobs Summit outcome.
- National and global competitiveness of our respective value chains.
- Broad-based black economic empowerment (B-BBEE), transformation and the promotion of links between agribusinesses and the developing agricultural sector. The participation of Agbiz in the recently established Agricultural Development Agency (AGDA) illustrates this commitment.
- Land reform. Various platforms and initiatives, including submissions to Parliament on the draft section 25 amendments to the Constitution, as well as on the Expropriation Bill.
- Water reform.
- Agro-logistics and infrastructural constraints.
- NEPAD and African issues, through the SADC Trade Hub, NEPAD Agency (CAADP), FAO, UNDP (AFIM Platform), ACET, AGRA, AFAP and other forums.
- Climate change and resource sustainability issues, with a major focus now on Just Transition, an initiative by the NBI, BLSA and BUSA to move South Africa to a carbon-neutral society by 2050.
- Value chain integration and development, and marketing of agricultural produce.
- Innovation in agriculture and the value chain to achieve the necessary productivity and quality gains.
- Labour matters, skills training and general human capital development. A case in point is the current engagement with the Department of Labour on the very contentious Employment Equity Bill.

Policy uncertainty, especially around property rights, remains a further area of major concern and **government should heed warnings against creating a negative investment environment.**

An incredible amount of work and time goes into all these focus areas

In addressing the policy and legislative environment, liaison and interaction with parliamentary portfolio committees, Nedlac (through BUSA), government ministers and senior officials have generally, but not always, been very effective. The past three years have seen an improvement in the level of trust between private sector (which public servants should be serving) and government, and this is sincerely appreciated. It is clear that the election of Mr Cyril Ramaphosa to replace Mr Jacob Zuma as President of South Africa is a step in the right direction and has created improved dialogue and trust. He has also appointed more competent ministers to various critical economic portfolios in government.

However, the capability of the state in general, but especially at provincial and district levels, as well as within state-owned enterprises, leaves much to be desired before these bodies can become enablers of economic growth, instead of functioning as disablers of the economy, which the majority are. Policy uncertainty, especially around property rights, remains a further area of major concern and government should heed warnings against creating a negative investment environment. Business confidence and sentiment, important factors in stimulating the economy, are determined by actions of government, not by nonsensical political rhetoric.

The forging of sound relationships, both private-public and private-private, is at the heart of creating a basis of trust and cooperation to promote progress and growth in South Africa and further abroad. Successfully addressing the above key focus areas would not have been possible without the committed services of Agbiz professionals, viz Mr Wandile Sihlobo, Agbiz Chief Economist, and Mr Theo Boshoff, Head: Legal Intelligence (new position), who greatly assisted the CEO. The dedicated desks, viz. Agbiz Grain, Agbiz Fruit Desk and the WineBiz Desk, have all contributed to making their industries more efficient and competitive. My sincere thanks to Mr Wessel Lemmer, Ms Stephanie van der Walt and Mr Michael Mokhorro for their dedicated service and contribution.

Communication

Clear and accurate communication, especially to our members, is essential if a member interest body is to function effectively, and this has been emphasised by the leadership of Agbiz in strategic sessions and Council meetings. The power of good and clear communication was particularly

evident during the Covid outbreak and pandemic, and subsequent lockdown phases. The work of Ms Karen Grobler and Mr Theo Boshoff in timeously getting out the regularly gazetted directions and packaging them in an understandable format assisted our members greatly. This deserves special recognition.

Our weekly electronic newsletter has continued to be keenly followed and welcomed by all members and key subscribers. Daily market reports, a weekly wrap on relevant *Government Gazette* notices and ad hoc communication to members remain critical communication platforms.

The www.agbiz.co.za website has been completely revamped and is updated daily. The visitor count is growing strongly as this website is a reliable and in-depth source of information impacting the agribusiness environment. Relations with the agricultural magazines, daily press and broadcast media have developed positively over the review period, and invited presentations at a range of high-level conferences (now mostly virtual or hybrid), including a number of international conferences, have further enhanced communication with role players and stakeholders. Ms Karen Grobler, who is responsible for communication at Agbiz, has played a very significant and professional role in focusing and expanding the Agbiz communication focus, and has made use of the social media networks as well as other platforms. Ms Grobler joined at the beginning of this reporting period and has become a key member of our highly effective team. Her support, including in the field of marketing, has been of great benefit to Agbiz and its members.

Financial management and financial sustainability

Agbiz has maintained its sustainable funding model over the past three years, with a net growth in both corporate and basic members over the period under review. As Agbiz essentially derives all its income from its members, it remains critically important that Agbiz consistently provides them with a real value proposition. The Audit and Risk Committee has played a key role in supporting the Financial Manager, Ms Natasha van Zyl, and the CEO in ensuring good governance and oversight of the Agbiz finances. The 2020/21 Agbiz Annual Financial Statements bear testimony to the responsible manner in which our financial resources are managed.

Thanks and appreciation

My sincere thanks and appreciation go to the personnel of Agbiz for their continued dedication and support over the review period. Our successes have been the fruits of a collaborative and team approach. My sincere thanks to all our members, our Council and the Steering Committee for their support and participation in the affairs of their business association.



▲ **John Purchase**
Chief Executive Officer
Appointed: 2007
Retiring: December 2021



▲ **Wandile Sihlobo**
Chief Economist
Appointed: 2016



▲ **Theo Boshoff**
Head: Legal Intelligence
Appointed: 2017

Office administration and support

Without the able office administration and secretarial support of Ms Liezl Esterhuizen, Agbiz personnel would not have been able to function effectively.



▲ **Liezl Esterhuizen**
Office Manager
Appointed: 2019



▲ **Natasha van Zyl**
Financial Manager
Appointed: 2016



▲ **Mariana Purnell**
General Manager: Agbiz Grain
Appointed: 2013
Retired: 2020



▲ **Wessel Lemmer**
General Manager: Agbiz Grain
Appointed: 2020



▲ **Annalien Collins**
PA to General Manager of
Agbiz Grain
Appointed: 2016



▲ **Karen Grobler**
Marketing and Liaison Manager
Appointed: 2018



▲ **Michael Mokhoro**
Stakeholder Manager of WineBiz
Appointed: 2015



▲ **Stephanie van der Walt:**
General Manager: Agbiz Fruit Desk
Appointed: 2019

Functional areas of work

The core objectives of Agbiz are achieved through its work in the following functional areas:

1. Policy and legislation
2. Agribusiness research
3. Linking South African agribusiness to the world
4. Liaising with business and government
5. Stakeholder engagement
6. Human capital development

Agbiz and Business Unity South Africa made a joint presentation on the **Expropriation Bill** to the Portfolio Committee in March 2021.

1. Policy and legislation

1.1 Transformation and farmer development

1.1.1 Land reform

Expropriation without compensation

Since expropriation without compensation (EWC) was first proposed at the ANC policy conference, Agbiz has been closely involved in making inputs and conducting analyses. In 2019, the National Assembly mandated the Constitutional Review Committee (CRC) to host provincial and national consultations to gauge public opinion on the amendment of the Constitution. Agbiz submitted a comprehensive written input and was the first organisation to make a presentation at the national consultations.

In 2019 the National Assembly accepted the CRC's recommendation that section 25 of the Constitution should be amended to 'make explicit what is implicit'. The Ad Hoc Committee was therefore tasked with drafting legislation in the form of the Eighteenth Constitutional Amendment Bill. The bill does not seek to remove just and equitable compensation as the benchmark but stipulates that a court may deem it just and equitable to award 'nil' compensation in circumstances set out in national legislation.

Agbiz provided written inputs but the public hearings were interrupted by the Covid-19 lockdown. In 2021 the committee resumed its work but was initially reticent about reopening public hearings. Following protest from opposition parties, the committee has agreed to set aside a week for public hearings in April 2021 and Agbiz will seek to make a presentation.

Expropriation Bill

The Expropriation Bill sets down a uniform procedure and methodology for calculating compensation for all expropriations. The bill passed through Nedlac and both Houses of Parliament but was not signed into law by the president.

In line with the above developments on EWC, the Expropriation Bill was held back and the Department of Public Works published a revised version of the bill for public comment. The amended version included a provision listing six circumstances that a court may consider in deciding whether or not 'nil' compensation is just and equitable. The bill therefore attempted to provide legal clarity as to which properties may justify nil compensation, but the wording makes it clear that nil compensation is not obligatory and that the court must consider all relevant circumstances in addition to the listed circumstances. It therefore still falls to the court to decide what is just and equitable in each situation.

The bill went through Nedlac a second time and Agbiz played a leading role. The Minister of Public Works also expressed her gratitude to Nedlac for improving the bill. Written inputs were submitted in February 2021 and a joint presentation between Agbiz and Business Unity South Africa (BUSAs) was made to the Portfolio Committee in March.

Property Valuation Act and regulations

The Property Valuation Act and associated regulations were enacted to allow the valuer general to determine the just and equitable value of properties identified for land reform according to a set formula. The formula has proved to be problematic as it equates to the difference between market value and the net income derived from the property.

After a series of court cases, the court confirmed that the valuer general's valuations are not binding. The minister then convened a panel of experts to review the Property Valuation Act and regulations. Agbiz made comprehensive written inputs as well as a presentation to the panel in 2021.

Upgrading of Land Tenure Rights Amendment Bill

The Upgrading of Land Tenure Rights Act (ULTRA) provides for land rights recorded in Apartheid-era land registers to be automatically upgraded to ownership. This provision was declared unconstitutional in 2018 as it discriminated against women (the Apartheid-era registers did not permit women's names to be included and hence the ULTRA perpetuated this position).

An Amendment Bill was published in 2020 to rectify the situation and Agbiz was requested by BUSA to lead the Nedlac engagement. Presentations were also made to the Portfolio Committee and the bill is currently being processed through Parliament.

Presidential Advisory Panel on Land Reform and Agriculture

In 2019 President Ramaphosa appointed a panel of experts to provide advice on the policy direction that is required to get land reform back on track. The panel produced a comprehensive report outlining multiple policy changes. Agbiz was allowed to comment on the report and duly submitted an input. An interministerial panel was then appointed to decide which recommendations should be taken on board.

Land donations, beneficiary selection and land allocation policies

In pursuance of the Presidential Advisory Panel's recommendations, the department published two policies for public comment in 2020, namely the Land Donations Policy and the Beneficiary Selection and Land Allocation Policy.

Agbiz duly submitted inputs on both policies. The former policy will probably find limited application as it deals solely with the allocation of land that has been donated for reform but provides no incentives to do so. The latter policy is somewhat better as it seeks to clearly define who qualifies for land under the redistribution programme. Despite a commitment to submit the policies to Nedlac, the policies were approved by Cabinet in 2021. It remains to be seen whether legislation will be developed based on the policies.

Alternative settlement models for land restitution

The Restitution Commission has appointed consultants to assist them in formulating alternative settlement models for land restitution. The idea is to ensure that highly productive agricultural properties remain in production when the new owners take over. Agbiz was consulted about agricultural properties. This is an ongoing process.

Agbiz and BASA have continually driven the blended finance process from 2019 to date to achieve commitment to an open and competitive system whereby all financial institutions, the Land Bank and agribusinesses could **participate on an equal basis.**

National Policy on Comprehensive Producer Support (NPCPS)

This seeks to coordinate support measures for emerging farmers provided by both government and the private sector. The policy was submitted to Nedlac in 2020 where Agbiz played a leading role but several proposals contained in the policy are being dealt with through separate processes. These include:

- an 'e-voucher' system to obtain inputs financed by the state directly from agribusinesses;
- blended finance;
- coordinated extension services by government and commodity organisations; and
- a comprehensive register of farmers to prevent 'double-dipping'.

Blended finance

Since the Agbiz/Banking Association of South Africa (BASA) blended finance model was proposed in 2015, Agbiz has been promoting the concept on all available platforms. In 2019, Nedlac facilitated a process known as the 'Jobs Summit' where Nedlac constituencies were required to formulate initiatives and commit to a process that would make lasting impacts on the economy. The flagship initiative promoted under agriculture is the concept of blended finance. Agbiz and BASA have continually driven a process from 2019 to date to

achieve commitment to an open and competitive system whereby all financial institutions, the Land Bank and agribusinesses could participate on an equal basis.

After several meetings spread across two years, the minister has finally endorsed a blended finance model which allows for all agricultural financiers to participate on an equal basis. As a result of the continuous discussions, the model now provides for land acquisition as well as security in the form of cessions over leases and a stepping-in right when beneficiaries operating on state land are being financed. At present, the service level agreements are being finalised between participating financial institutions, the department and the Land Bank as the fund administrator. Partnerships with agribusinesses and commodity organisations will also be key as the model largely outsources the programme to the private sector since a single process is to be followed to assess grant and credit eligibility by participating financial institutions. Grant funding is then drawn down from the fund administrator and blended with commercial loan financing.

The programme design is nearing finalisation and will soon be publicly announced.

1.1.2 Broad-based black economic empowerment

Industry norm

Trading companies must adhere to a minimum of a quarter of the industry norm for profit after tax (PAT) when evaluating enterprise development, supplier development and socio-economic development expenditure. No industry PAT norm exists that is specific for high volume/low margin products, like commodities in agriculture. One of the possible solutions Agbiz wanted to investigate was to base targets on gross profit as opposed to turnover. In this regard, Agbiz conducted an anonymous survey among commodity traders and presented the results to the AgriBEE Charter Council. While the council appreciated our input, it was not prepared to make a recommendation and requested that the results of the survey be audited. Due to competition law concerns, this function could not be performed by Agbiz.

Statutory levies

In 2019, the Sugar Association of South Africa (SASA) presented a comprehensive proposal to the AgriBEE Charter Council that would allow millers and growers to account for the statutory levies used for transformation. SASA was to submit reports outlining the amounts spent on transformation and classify them under enterprise development, supplier development (for millers) and skills development. The AgriBEE Charter Council endorsed the practice note created by SASA and tasked Agbiz to liaise with the National Agricultural Marketing Council (NAMC) and levy administrators to determine whether or not a system could be developed to account for levies raised under the Marketing of Agricultural Products Act. This is an ongoing process as Agbiz has sought to engage with the levy administrators for citrus and winter cereals.



Although the agricultural sector showed robust growth in 2020, Agbiz remains concerned about the impact which the **amended national minimum wage** will have on employment trends in the sector.



1.1.3 Labour relations, skills development and a social compact

National Minimum Wage Act and Regulations

The National Minimum Wage Act was passed in 2018 but had to be amended immediately as the act contained a reference to an outdated implementation date. Once the amendment was effected, a national minimum wage could be implemented for all sectors of the economy but subject to differential wages as agreed to through collective agreements. An exception was also made for farmworkers who started at 80% of the national minimum wage to equalise their pay with that of the rest of the economy within three years.

Agbiz made inputs into the bill as well as the regulations that were formulated to set out the procedure and criteria in terms of which employers who cannot afford the minimum wage could apply for an exemption.

The act also established the National Minimum Wage Commission whose function, among others, is to make recommendations to the minister on annual adjustments. The first annual adjustment was largely uncontroversial but the recommendations for the 2021/2022 financial year proved highly controversial. Despite the South African economy's gross value-added shrinking by roughly 7% in 2020 due to the Covid-19 lockdown, the majority of the commission recommended that the minimum wage be increased by the CPI plus 1,5% for the 2021/2022 financial year. They also recommended that farmworkers' pay be equalised to 100% of the national wage, which amounted to a 16,1% increase.

Despite objections from the business representatives on the commission and Agbiz's comprehensive written input opposing the increase, the minister announced that the increases would apply with effect from 1 March 2021. Although the agricultural sector showed robust growth in 2020, Agbiz remains concerned about the impact which this amendment will have on employment trends in the sector as several labour-intensive subsectors of agriculture were adversely affected by the Covid-19 lockdown and may find it difficult to absorb the rise in labour costs.

Basic Conditions of Employment Amendment Act (BCEA)

This act was amended in 2018 to cater for the introduction of the national minimum wage. Sectoral determinations made under the act were replaced by the national minimum wage to the extent that they relate to remuneration. The BCEA continues to play a role in other conditions of employment.

Labour Relations Amendment Act (LRAA)

The Labour Relations Act was amended in 2018 to provide for secret balloting among trade union members before embarking on strikes. It also requires that picketing rules be agreed to before embarking on a picket. The business-friendly amendments to the LRA Act were agreed to at Nedlac as a quid pro quo for the introduction of a national minimum wage.

Employment Equity Amendment Bill

The draft amendments to the Employment Equity Act were proposed by the Minister of Labour in 2018. The main aim of the bill is to permit the minister to set targets for employment equity at a sectoral level. The contentious amendment was deliberated upon at Nedlac, where business agreed to the targets with the following provisos:

- Realistic targets are to be set with the agreement of the sectors concerned. There are to be grounds of justification for employers who are not able to meet the targets despite implementing plans to achieve them.

The latter aspect has constitutional implications as 'targets' are permitted under the Constitution but not 'quotas'. In other words, hard-and-fast quotas cannot be introduced but targets are permitted as long as companies are not denied their employment equity certificate if they have implemented reasonable steps to achieve the targets but have nevertheless fallen short. The bill is currently under discussion in the Portfolio Committee on Employment and Labour where BUSA is submitting inputs. At the same time, the department has started consulting various sectors and a session has been held with the agricultural and agribusinesses sector. Agbiz has submitted a reasoned request for additional information on historical employment trends to be provided so that all parties have a better indication of the employment trends to date versus the targets proposed by the department.





Occupational health and safety

With the outbreak of the global Covid-19 pandemic, directions were issued under the Disaster Management Act to mitigate the risks of Covid-19 in the workplace. Agbiz provided detailed inputs into these directions. It is generally accepted that Covid-19 will remain with us for several years. As such, durable solutions have to be found to manage the risk it poses in the workplace since the directions will lapse when South Africa is no longer in a state of national disaster. The proposal is to legislate hygiene, sanitation and contact-tracing protocols in regulations to the Occupational Health and Safety Act. Agbiz is represented on the Nedlac task team in this regard.

Future of work scenarios

Comprehensive research has been commissioned to investigate the future of work in South Africa as we face the fourth industrial revolution. The Institute for Futures Research has been commissioned to formulate scenarios and Agbiz is a leading role player informing the study. Agbiz was also instrumental in making a case for the study to be conducted. The study is ongoing.

1.2 Natural resources regulation

1.2.1 Water policy and legislation

Water and Sanitation Master Plan

Through its participation in BUSA's Water Subcommittee, Agbiz has been able to make inputs into the Water and Sanitation Master Plan over many years. As the master plan is nearing approval and implementation, Agbiz was invited in February 2021 to meet the minister to provide its final inputs and highlighted some of the unintended consequences of policy proposals relating to the regulation of agricultural water use.

At the meeting, we proposed that a scenario planning exercise be followed to explore alternative means to give effect to the aspirations in the master plan through a public-private partnership approach. The proposal was endorsed by the department and all stakeholders in the agricultural sector.

Agbiz and Agri SA are jointly involved with this initiative and plans are being made to conduct the scenario planning exercise.

Clearing the backlog of water licence applications

Through the Nedlac Jobs Summit process, BUSA's water committee secured quarterly meetings with the department to discuss both regulatory matters and implementation. Through this platform, we were able to bring several members' water use licence applications to the attention of the department where applications had been waiting for more than the 300-day timeframe or where procedural irregularities had been experienced. Through this cooperation, all 12 problematic applications have been resolved and the licences issued.

Water use licence regulations

Through the Nedlac Jobs Summit process, Agbiz made many proposals to the department on amendments to the regulations setting out the procedure for applying for a water use licence. The majority of our recommendations were supported and a draft amendment was due to be published in 2020 but has been delayed due to the Covid-19 lockdown and its impact on the department's capacity.

Compulsory metering for irrigation

In 2020 the department promulgated regulations under the National Water Act requiring each water user who irrigates to install water meters within 30 days and report on consumption. Agbiz did not oppose the regulations in principle but wrote a letter requesting an extension of time, which was granted. These regulations followed a publication in 2017 which imposed the same requirement on irrigators who are part of a water user association.

Water use efficiency in agro-processing

Agbiz partnered with the International Finance Corporation (IFC) to research water use efficiency in agro-processing. With Agbiz's assistance, the research team from the IFC has established water forums in their focus areas and is busy compiling a best practice guideline for the abattoir industry on water use efficiency.

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1.2.2 Preservation and Development of Agricultural Land Bill

Agbiz led the business delegation at Nedlac through a long and protracted process on the bill. The bill seeks to protect scarce agricultural resources by permitting the state to declare national and provincial protected agricultural areas where restrictions on land use would apply.

Despite our best efforts, Agbiz could not persuade the mining constituency to agree to a compromise position. The bill has now been tabled in Parliament where Agbiz will advocate in favour of the bill while other business constituencies can express their concerns.

1.2.3 Farm planning regulations

Published under the Conservation of Agricultural Resources Act, the draft Farm Planning Regulations sought to introduce a compulsory farm plan for each agricultural landholding. In its written submission, Agbiz proposed that the regulations should be qualified to apply only where the state has subsidised soil conservation practices. An engagement with the department is being scheduled.



1.2.4 Carbon Tax Act

After the Carbon Tax Act had been promulgated into law, Agbiz provided written inputs via BUSA to shape several subsidiary regulations, including the carbon sequestration regulations, the trade exposure regulations, the benchmarking regulations and the amended greenhouse gas reporting regulations published under the National Environmental Management: Air Quality Act.

1.2.5 Climate Change Bill

The Climate Change Bill represents the comprehensive legislation that sets out South Africa's goals and ambitions to combat climate change under the Paris Agreement. It introduces new concepts such as carbon budgeting, sector emission targets, a national adaptation strategy as well as sectoral adaptation strategies. Agbiz formed an integral part of the business team responsible for deliberations at Nedlac over two years. The Nedlac process has been finalised and the bill will now be tabled in Parliament.

1.2.6 National Climate Change Adaptation Strategy

As required under the Climate Change Bill, the department responsible for environmental affairs published the draft National Climate Change Adaptation Strategy for public comments. Agbiz submitted written inputs to accurately sketch the impact that climate change will have on the sector as well as provide alternative solutions on how the sector could adapt to these challenges. This final draft will only be published once the bill has been enacted into law.



Agbiz drove a **process of engagement** with the National Energy Regulator of South Africa (NERSA) and Eskom through BUSA to determine whether agribusinesses could pay Eskom directly in exchange for their municipality not being cut off.

1.2.7 Electricity and direct payment to Eskom

Many Agbiz members operating in rural municipalities have had to contend with electricity supply problems where entire municipalities have had their electricity supply cut off due to non-payment by the municipality. Agbiz drove a process of engagement with the National Energy Regulator of South Africa (NERSA) and Eskom through BUSA to determine whether agribusinesses could pay Eskom directly in exchange for their municipality not being cut off. Although Eskom was in favour of such an arrangement, NERSA indicated that they could not interfere with the contractual arrangements unless the municipality in question consented thereto or unless a court order was obtained. Unfortunately, several agribusinesses therefore had to obtain court orders permitting them to pay Eskom directly.

1.2.8 Waste exclusion regulations

After years of lobbying by BUSA's Environmental Subcommittee, the Department of Environmental Affairs promulgated regulations under the Waste Act which exclude waste streams that can be reused in other industrial processes from the requirement of obtaining a waste licence. Agbiz formed part of this process and was responsible for ensuring that certain waste emanating from the agribusinesses sector is included.

1.2.9 Just Transition Pathways

The National Business Initiative and BUSA have taken the lead in mapping out a possible transition from our current, carbon-intensive economy to a carbon-neutral economy by 2050. This research will feed into national policy and is designed to inform South Africa's nationally determined contribution to combating climate change under the Paris Agreement.

Agbiz is playing a leading role in the research to determine the future of the agriculture, forestry and other land use (AFOLU) sector, namely agriculture, forestry and other land uses.

1.3 Trade environment

1.3.1 Global and domestic agricultural trade policy developments

The period from 2018 to 2021 has been eventful for South African agriculture and indeed for the global economy. From the beginning of 2020, the coronavirus (Covid-19) pandemic, whose containment measures led to widespread economic slowdowns across the world, dominated the headlines. Nevertheless, South Africa's agricultural sector has been broadly insulated, as evidenced by the 13,1% year-on-year expansion in the gross value-added in 2020. This expansion was supported by high volumes of agricultural output in all major subsectors and a favourable regulatory environment, as agriculture was permitted to remain operational from the outset of the pandemic and the lockdowns that followed. Wine, tobacco and floriculture were, however, among the agricultural industries that were hard hit by the regulations and bans on sales at various stages of the lockdowns.

The pandemic arrived on the back of fresh outbreaks of African swine fever, which significantly affected China and the global agricultural market, especially in 2019 and 2020. But since the end of 2020 there has been a dramatic recovery, resulting in a surge in demand for grains and oilseeds and thus supporting commodity prices.

Another important development during the period under review was the intensification of the trade war between China and the US. This was just as disruptive for agricultural commodity markets as both countries imposed trade tariffs which resulted in a diversion in trade, with South America increasingly emerging as a winner, especially in the oilseeds trade. The finalisation of Brexit between the United Kingdom and the European Union (EU) was another important development in the global market over the past four years. In the midst of all this, South Africa's agricultural sector has remained largely insulated. The one change we feared would have more direct implications for South Africa's agricultural trade with the EU, the second-largest market for South Africa, was Brexit.

However, an important development has been the conclusion of an economic partnership agreement (EPA) between the United Kingdom (UK), the Southern African Customs Union (SACU) and Mozambique in September 2019 (i.e. the SACU-Mozambique-UK Economic Partnership Agreement). The purpose of this agreement is to ensure the continuity

The pandemic arrived on the back of fresh outbreaks of **African swine fever**, which significantly affected China and the global agricultural market, especially in 2019 and 2020.

of the uninterrupted flow of goods and services between the two territories. In essence, the agreement maintains the same arrangements that were in place with the UK while it was still part of the EU.

While a lot has been written about Brexit over the past couple of years, two points have been overlooked in the discussions as far as agriculture is concerned, in light of the SACU-Mozambique-UK EPA. The first is the provisions that the SACU-Mozambique-UK EPA offers, more specifically in relation to safeguards, as well as import and export quotas for specific products. For South Africa, the benefits of this trade arrangement will be new quotas on agricultural products such as wine, in addition to the ones that already exist with the EU. This is important because the UK is a major market for South African wine.

The second point is that for citrus – a leading agricultural export for South Africa – the subsector is no longer expected to be bound by costly and unnecessary emergency measures for citrus black spot (CBS). This is mainly because

1 January 2021 marked the historic and much-anticipated commencement of trading under the newly established **African Continental Free Trade Area** (AfCFTA).

the UK poses a limited risk as there are no commercial orchards in the country. South Africa's market access in the UK will therefore be enhanced. Within the EU, Spain – the world's leading exporter of citrus – had consistently lobbied for restrictions on South African citrus due to CBS, against scientific evidence which suggested the contrary. This effectively put the South African citrus industry at a competitive disadvantage, even in low-risk CBS markets such as the UK, which have no orchards.

On the domestic market, outbreaks of foot-and-mouth disease (FMD) curtailed beef and wool exports, attracting export bans from major international markets. The FMD outbreak was compounded by an outbreak of African swine fever, which also impacted the domestic market, but had less influence on international trade as South Africa is not a major player in the export market for pork products.

In terms of trade agreements, there have been several developments over the past four years, the most notable being the aforementioned SACU-Mozambique-UK Economic Partnership Agreement. Other trade agreements have been fairly routine. Member states that continue to flout the trade protocol remain a concern to the SADC. The SACU Agreement is still intact and there have been no major changes over the past four years. The SACU MERCOSUR has also been relatively quiet. From a continent-wide perspective, 1 January 2021 marked the historic and much-anticipated commencement of trading under the newly established African Continental Free Trade Area (AfCFTA). This trade agreement, signed by 54 of the 55 African Union member states, seeks to deepen market integration on the continent, boost intra-African trade and promote regional value chains towards economic transformation through industrialisation.

For some years the South African government and the business community have recognised the strategic importance of the African market for increased agricultural investment and exports. After all, the African continent accounts for 41% of South Africa's agricultural exports, which bring in R131 billion a year on average.

How can South Africa's agricultural sector expect to benefit from being a member of the AfCFTA, especially given its relative advantage compared to our main competitors?

The AfCFTA aims to remove tariffs on 90% of all goods traded between member states in equal annual reductions, moving towards a zero tariff. For least developed countries (LDCs) this reduction is spread over 10 years; for non-LDCs the reduction takes place over five years (AU & UN 2020). For

example, for Zambia (an LDC), which has a 25% customs tariff on orange imports into the country, the tariff will be reduced by 2.5% per annum, starting in 2021. A South African orange exporter to Zambia will experience a steadily declining tariff, reaching zero per cent in 2030. A similar rule applies to South Africa, but because we are a non-LDC country, our general tariff of 4% on orange imports from AfCFTA member countries will be removed over five years, i.e. reduced by 0.8% per annum.

The hope is that the consensus among African nations to harmonise trading systems and promote intercontinental trade through this elimination of tariffs and other non-tariff barriers will stimulate the investment needed to aid smooth trading on the continent.



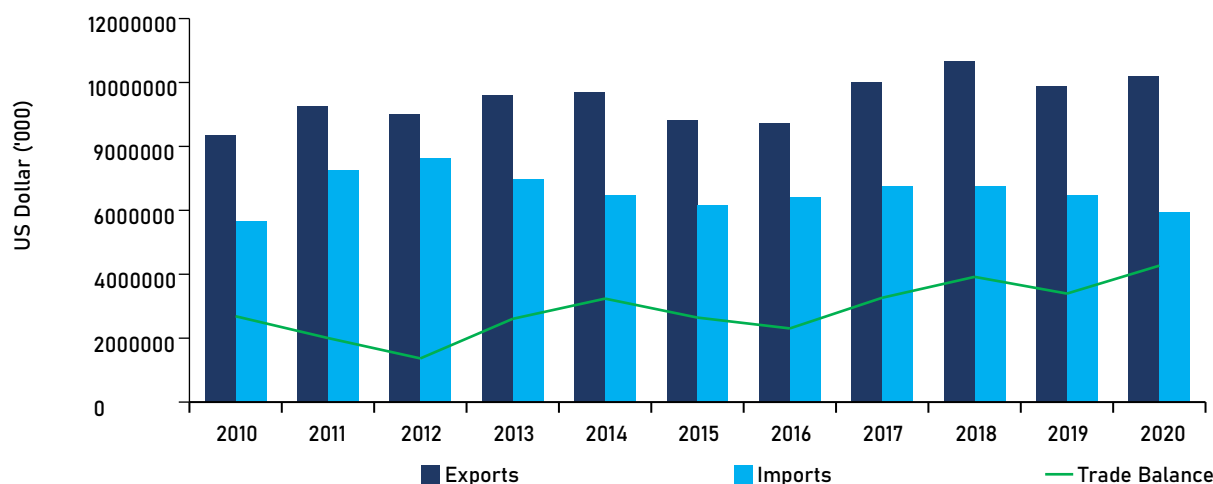
1.3.2 South Africa's agricultural trade performance

South Africa's agricultural trade has been on a relatively positive path since 2018, with a marginal decline registered in 2019. In 2020, the country experienced a rebound, with agricultural exports reaching US\$10,2 billion in 2020, which is a 3% increase over the previous year. This is the second-largest level after the record exports of US\$10,7 billion in 2018. The exports were primarily underpinned by a large domestic agricultural output, which was supported by favourable weather conditions. The relatively weaker domestic currency also made South Africa's agricultural products more competitive in the global market. The top ten exportable products by value were citrus, grapes, wine, apples and pears, maize, nuts, sugar, wool and fruit juices.

Over the same period, South Africa's agricultural imports fell by 8% year on year to US\$5,9 billion. The decline in imports of poultry meat, sugar, spirits, sunflower oil, prepared animal feed, beer made from

malt, fish, and coffee were the underlying drivers of the softer imports in 2020. This was enough to overshadow the increase in imports of the top three products South Africa typically imports, namely, rice, wheat and palm oil. The fall in imports, which corresponded to an increase in exports, subsequently led to a 26% year-on-year increase in South Africa's agricultural trade surplus, which reached US\$4,3 billion.

Exhibit 1: South Africa's agricultural trade



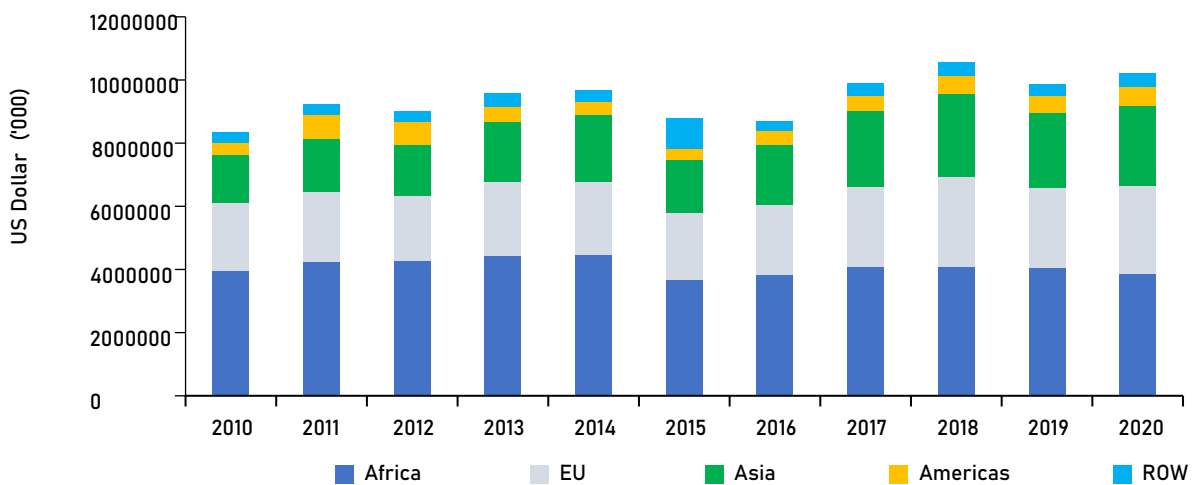
Source: Trade Map and Agbiz Research

From a destination point of view, the African continent and Europe continued to be the largest markets for South Africa’s agricultural exports, absorbing 38% and 27% of total exports in 2020, in value terms, respectively. The top products exported to these markets were beverages, fruit, grains, sugar and vegetables. Asia has remained an important market for South African agricultural exports, accounting for a 25% export share in 2020. Fruit, wool, grains, sugar and meat were the leading products exported to this region. The Americas and the rest of the world (ROW) accounted for a 6% and a 4% share. Exports to these regions were also dominated by fruit, beverages, vegetables, grains, sugar, and wool.

Joint efforts

Aside from the favourable weather conditions that enabled a large harvest, credit for exports also goes to the unhindered food value chain operations that resulted from joint efforts by the government, the private sector, and various research institutions. Notably, the government’s decision to leave the agricultural and broader food sector fully operational from the onset of the lockdown created conducive business conditions. Meanwhile, the continuous interaction between private sector organisations and logistics companies ensured a constant flow of products to the export markets.

Exhibit 2: South Africa’s agricultural exports by region



Source: Trade Map and Agbiz Research

Policy considerations

The South African government and private sector players have embraced a vision of expanding labour-intensive agricultural subsectors as part of a broader development strategy. This message is evident from the National Development Plan, and various speeches by policymakers over the past couple of years. This is to be an export-driven initiative. The main subsectors involved are horticulture and to a certain extent field crop production. Fortunately, the most valuable agricultural exports also came from these subsectors over the past six years, which means that South Africa is on the right path in its agricultural development strategy.

The South African government and private sector players have embraced a vision of **expanding labour-intensive agricultural subsectors** as part of a broader development strategy.

That said, while a 25% share of South Africa's agricultural exports goes to Asia, as previously noted, there is still potential to expand participation in that market. With India and China headlining the growth potential in Asia and the Far East, this region is significant enough to warrant more attention, especially given that there is currently no preferential market access for South Africa's agricultural sector in this region. We conveyed this message around this time in 2020, and we feel it is important to highlight it again. South Africa has to compete with the likes of Australia and Chile. They have secured trade agreements that have afforded them a significant competitive advantage that could end up threatening South Africa's market share and future growth. Therefore, South Africa should continue to engage these countries for greater market access to agricultural products. The Middle East, especially Saudi Arabia, is also an important market with which to continue developing trade relationships. The activation of the African Free Continental Trade Area at the beginning of this year has also provided an important foundation for the realisation of this potential within the African continent.

1.4 Economic environment

1.4.1 Credit legislation

National Credit Amendment Act

Agbiz provided written and oral input to the Portfolio Committee on Trade and Industry. The bill sought to permit a lender to apply for microloans, to be written off if he/she was overindebted. Agbiz was concerned that such an amendment might lead to a more conservative approach towards lending and have the unintended consequence of credit exclusion. The Amendment Bill was passed but its provisions were softened to some extent.

Affordability Assessment Regulations

Agbiz scheduled a series of engagements with the National Credit Regulator (NCR) and the Department of Trade, Industry and Competition (dtic) to present amendments to the affordability assessment criteria contained in regulations under the National Credit Act. The criteria are largely skewed towards consumer credit and those who earn a fixed income. This poses challenges to agribusinesses, which extend credit to primary producers who operate as sole proprietors. Unfortunately, little progress has been achieved as the regulations remain unchanged.

Reporting to credit bureaus

Regulation 19(13) under the National Credit Act requires credit providers to report their clients' information to credit bureaus. Agbiz identified a challenge in that this reporting could negatively affect the personal credit score of a producer who takes out commercial loans for his or her farming operations in his or her personal capacity. After a series of consultations with the South African Credit and Risk Reporting Association (SACRRA), a dedicated template was developed for agribusinesses to mitigate the risk.

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1.4.2 Plant breeders' rights

Agbiz submitted written inputs to the draft regulations published under the new Plant Breeders' Rights Act. The regulations related to farm-saved seeds or so-called farmers' privilege but extended beyond the scope of the previous act or that permitted by the International Union for the Protection of New Varieties of Plants (UPOV).

1.4.3 Fertilizer Bill

The Fertilizer Bill was drafted to remove fertilizers from Act 36 of 1947 and to allow the registrar to assign its functions to private entities. Although assignment can help to create capacity, there were concerns regarding the scope of the functions that could be assigned. Agbiz provided written inputs in support of the industry which recommended that critical functions such as enforcement should not be eligible for wholesale assignment as this could place companies in a conflicted position and create problems when regulatory aspects had to be challenged.

1.4.4 Agbiz Fuels Working Group

In response to a request from its members, Agbiz convened the Fuels Working Group to formulate alternative solutions for agribusinesses that operate daytime fuel retailing sites as an add-on to existing operations. Agribusinesses that are bona fide competitors in the fuel retailing space are expected to comply with all relevant licensing conditions but challenges are experienced by those agribusinesses that simply operate daytime retail sites as an annexe to larger agribusiness operations in remote locations. More specifically, concerns persisted where agribusinesses are measured under the AgriBEE Sector Code but their licence applications are assessed according to the Liquid Fuels Charter.

Agbiz formulated proposals to amend the regulations under the Petroleum Products Act to provide a special dispensation for daytime agribusiness sites that would not be viable as standalone entities. Presentations were made to the Department of Minerals and Energy. Although the department rejected the proposals, they did agree to assess agribusinesses that apply for fuel retail licences under the AgriBEE Sector Code.

Agbiz also submitted written inputs to SARS on amendments to the rules under which the diesel rebate would be administered.

1.4.5 Competition Amendment Act and regulations

The Competition Act was amended to introduce two new forms of prohibited conduct, namely where suppliers exclude smaller entities through price discrimination or through the abuse of buying power. Two sets of regulations were promulgated to further expand on the conduct that would be deemed an infringement as well as provide for grounds of justification. Agbiz participated in the process at Nedlac via BUSA and submitted written comments on the regulations.

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1.4.6 Transport

AARTO regulations

Agbiz submitted written inputs to the regulations promulgated under the Administrative Adjudication of Road Traffic Offences (AARTO) Act. Our primary concern related to a 'deeming provision' whereby the owner of a logistic vehicle would accrue demerit points if the driver cannot be identified.

National Road Traffic Amendment Bill

Agbiz made written and oral submissions to the Portfolio Committee on Transport in support of the wine industry's substantive inputs on the bill. The bill seeks to criminalise the operation of a vehicle by a driver with any amount of alcohol in the blood. It is unclear whether changing the blood alcohol level from 0.05 to 0.00 would have any beneficial effect on road safety while it is likely to have detrimental effects on wine sales and tourism.





Road to rail

Agbiz successfully lobbied for the Nedlac Development Chamber to allocate its research budget in 2019/2020 towards researching the viability of shifting the transport of grain from silos to millers by rail versus road. The research was conducted by an independent consultant and supplemented by a questionnaire filled in by members of the Agbiz Grain Desk.

This information will feed into Transnet's strategic planning as it seeks to expand its rail logistic services to the agricultural sector. A series of promising engagements between the agribusiness industry and Transnet Freight Rail is under way.

1.4.7 Grain and oilseeds regulatory environment

Agricultural Product Standards (APS) Act

Appointment of assignees (Leaf Services)

The grain and oilseeds industry did not legally challenge the appointment of Leaf Services in 2016 when they had the opportunity to do so within 180 days after the appointment. Furthermore, the Leaf Working Group required a feasibility study from Leaf Services when the assignee approached the group in 2020. Leaf Services has indicated that they will entrench resources of about R24 million to do the feasibility study. The industry has become accustomed to DALRRD assignees in other divisions of their agribusinesses such as chicken enterprises and these assignees do perform a function. DALRRD believes that there is a lack of enforcement of standards and that oversight is required.

Working with Leaf Services on an ongoing basis, including through working groups, communication regarding their activities, feasibility studies and presentations does not cast a good light on the legitimacy argument and the issue of principle the industry had with them. Leaf Services has a strong argument to put forward, namely that the industry accepted their appointment. Challenging the principle of the appointment of assignees under the APS Act has little chance of success.

Assignees are allowed to set fees in terms of the act, but have to demonstrate procedural fairness, reasonableness and lawfulness. The proposed inspection procedure and fees are not deemed procedurally fair, reasonable or lawful and could potentially be legally contested. DALRRD's response to Agbiz Grain in April 2021 was that the grain and grain products stakeholders had indicated that they were not happy with the proposed fees and methodology. Most of the issues indicated by Leaf Services fell outside the mandate which they were appointed to fulfil under the Agricultural Product Standards Act (APS Act) 119 of 1990. Therefore, the revised fees and methodology must fall strictly within the mandate which Leaf Services were appointed to fulfil under the APS Act. The APS Act specifies that the inspected party is responsible for paying the fees which have been published.

Sectors can propose an alternative way of collecting the fees as a request falling under the discretionary powers granted in section 16 of the APS Act. In collaboration with the assignee, DALRRD will evaluate such proposals. However, proposals may not lead to any compromise of the ability of the assignee to exercise his duties, or impact on the rights of any affected party. If these conditions are met, then the acceptance of a proposal under the discretionary powers cannot be said to be illegal.

The industry will continue to challenge the fees, methodology and plan of implementation by commenting on the gazetted business plan.

SAGL proficiency test

In collaboration with the SAGL, Agbiz Grain members re-introduced the pre-harvest grading ring tests for proficiency schemes for the different commodities in 2020 after participation in the proficiency schemes had dropped over the past three years to a level that meant that it was not worthwhile to continue. As a result, in 2020, 211 participants participated in the maize scheme, 81 in the soybean scheme and 68 in the sunflower seed scheme. The schemes are very important evidence of the industry's compliance in terms of the grading function.







2. Agribusiness research

2.1 Performance of the agricultural economy

The period between 2018 and 2020 reflects a mixed picture for South Africa's agricultural economy. The first two years, 2018 and 2019, were characterised by drought and biosecurity concerns with agricultural gross value-added contracting by 4,8% year on year and -6,9% year on year. It was only in 2020 that the sector recovered, following good rains, expansion in area plantings and also higher commodity prices. South Africa's agricultural gross value-added rebounded by 13,1% year on year in 2020. Initially, it seemed as if 2020 was going to be yet another drought year as the agricultural sector was still anxiously awaiting rain at the end of 2019, with summer crop plantings not yet completed. It was only from the second week of January that we saw reassuring signs that the drought might be over as the greater part of the country started receiving good rains.

The generally good performance of the agricultural sector in 2020 is partly since most of the sector was classified as essential and continued to operate during the strict lockdown period. But, more importantly, 2020 was a recovery year in agricultural output across all subsectors (field crops, horticulture and livestock) as a result of favourable rainfall and increased area plantings, especially in the case of summer crops, as previously stated.

The favourable weather conditions that underpinned higher agricultural output in 2020 have continued into 2021. For example, the data recently released by the Crop Estimates Committee show that South Africa's 2020/21 summer grain and oilseed production could increase by 6% year on year to 18,7 million tonnes.

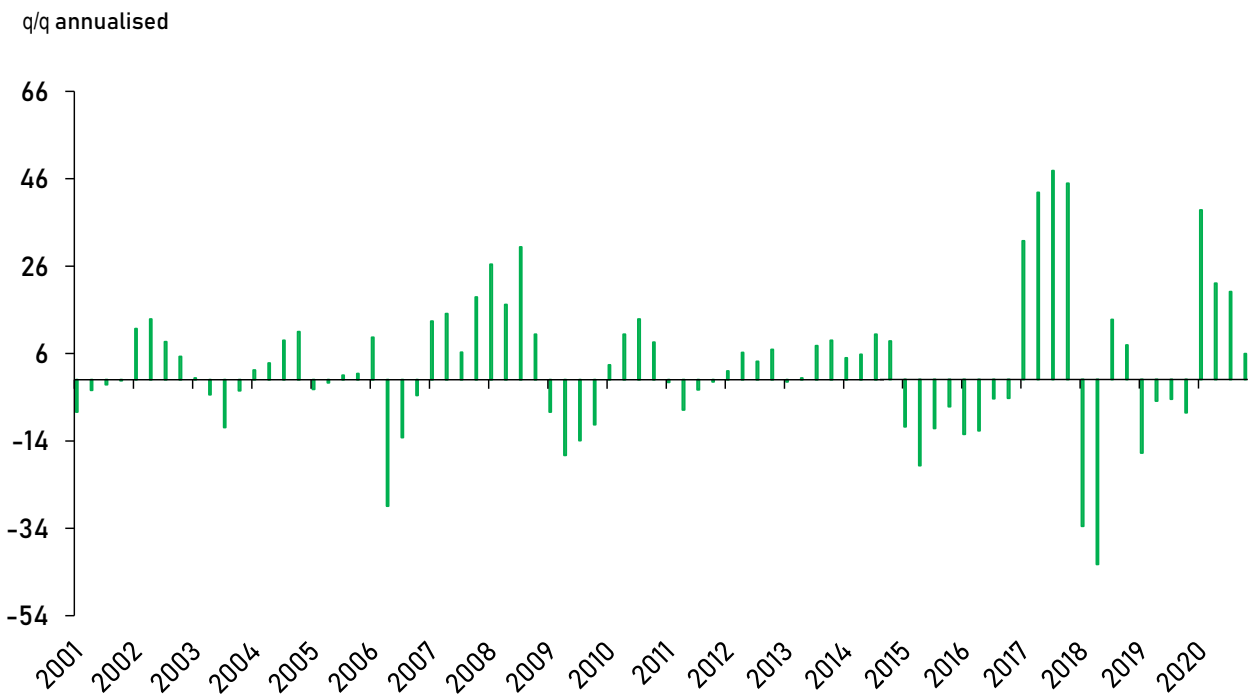


2020 was a recovery year

in agricultural output across all subsectors (field crops, horticulture and livestock) as a result of favourable rainfall and increased area plantings.

This would be the highest on record if it materialises. Moreover, estimates from Vinpro, an Agbiz member, suggest that South Africa's wine grape crop could be somewhat larger than in 2020. In the fruit industry, there is also optimism about continued growth in output in 2021. Essentially, the favourable production conditions provide the basis for another year of substantial growth in South African agriculture. We believe that South Africa's agriculture gross value-added could expand by 4% year on year in 2021. The base effects are contributing to a slightly subdued growth rate this year compared to 2020.

Exhibit 3: South Africa's agricultural GVA



Source: Stats SA and Agbiz Research

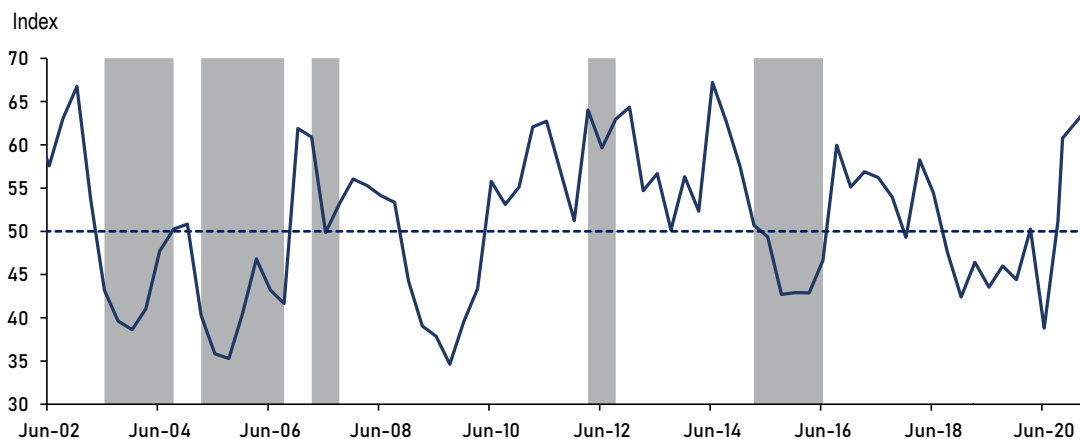
2.2 Agricultural confidence levels

One of the important indicators that stakeholders observe when assessing the sentiment in the sector, and also as a lead indicator for growth and fixed investment, is the Agbiz/IDC Agribusiness Confidence Index. In the years of contraction induced by drought – 2018 and 2019 – the confidence index reflected the hardship experienced in the sector and contracted to levels below a neutral 50-point mark for most of this period. The effect of weather conditions was not the sole factor behind the pessimism; policy uncertainty, especially around land reform, also contributed to a downbeat sentiment in the sector.

While there is still no clarity on land reform, and the discussion about prospects of expropriation without compensation is still raging at the time of writing, the favourable weather conditions and solid

agricultural performance have been the dominant factor and have led to a sustained improvement in sentiment in the latter part of 2020 and into 2021. The Covid-19 pandemic shock was primarily reflected in the second quarter of 2020, but as it became clear that agriculture and the agribusiness value chain were functional, sentiment improved. In the first quarter of 2021, the Agbiz/IDC Agribusiness Confidence Index had reached its highest level since the second quarter of 2014. A level above the neutral 50-point mark implies that agribusinesses are optimistic about operating conditions in South Africa. Therefore, these results probably reflect not only the robust performance of South Africa's agricultural sector in 2020, where gross value-added expanded by 13,1% year on year, but also positive early signs of another season of ample harvests in 2020/21 from most subsectors.

Exhibit 4: Agbiz/IDC Agribusiness Confidence Index



Source: Agbiz Research, South African Weather Service
(Shaded areas indicate periods when rainfall across South Africa was below the average level of 500 millimetres)



2.3 Development of the Agbiz Grain Silo Cost Index (GSCI)

Agbiz Grain has appointed the Bureau for Economic Research (BER) to develop a methodology for an independently verified new grain storage cost index (GSCI) that will be nationally representative. In its initial high-level analysis, the BER found that there is sufficient evidence of a divergence between the annually adjusted producer price index (PPI) used by the JSE and the annual increase in grain storage costs.

The GSCI's underlying basket of costs will be a more accurate reflection of cost increases in grain storage than the PPI that is currently used. While Agbiz Grain is the client, the intention is to generate an accurate cost index for JSE-accredited storage providers. The BER will provide the first grain storage cost index report by the end of July 2021.



2.4 Development of the Agbiz Grain Dispute Protocol (AGDP)

Agbiz Grain has developed a comprehensive dispute protocol for use by storage operators in 2020. The AGDP was submitted to the Market Working Group of the Maize and Wheat Forums for consideration. Certain members in the milling industry have accepted the protocol.



3. Linking SA agribusiness to the world

3.1 Global agribusiness

Agbiz promotes agricultural trade and investment for its members by working closely with the Department of Agriculture, Land Reform and Rural Development (DALRRD), Department of Trade, Industry and Competition (the dtic), National Agricultural Marketing Council (NAMC), Department of Health and the International Trade Administration Commission (ITAC), to mention a few. Information on agricultural trade, investment and opportunities is gathered from industry and government sources, including foreign government sources such as embassies and consulates in South Africa and South African embassies abroad.

Agbiz will continue establishing and maintaining excellent working relationships and networks with all stakeholders, both locally and abroad. So far, we have excellent contact with embassies and consulates of countries such as the United States, the United Kingdom, France, The Netherlands, Mozambique, Malawi, Germany, Japan, Angola, Nigeria, among others.

Through our membership of the Grain Elevator and Processing Society (GEAPS), Agbiz Grain has become aware of the increased global focus on the general safety of employees involved in the storage sector. Secondly, there has been a renewed effort to sustain productivity through motivation and boosting the morale of employees by recognising their contribution to the economy within the recent constraints of Covid-19.

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4. Liaising with business and government

4.1 Agbiz representation

Agbiz, in line with its mandate, is affiliated with several global and local business organisations, while members of its staff serve on various government and business platforms, in advisory and/or decision-making capacities, for the benefits of its members.

International linkages

- International Food and Agribusiness Management Association (IFAMA)
- Business and Industry Advisory Committee (BIAC) to the Organisation for Economic Co-operation and Development (OECD)
- BRICS Agribusiness Working Group
- Range of embassies active in South Africa

Local linkages

- Business Unity South Africa (BUSA)
- National Economic Development and Labour Council (Nedlac)
- Presidential Advisory Panel on Land Reform and Agriculture
- Presidential Economic Advisory Council
- South African Statistics Council (Stats SA Council)
- International Trade Administration Commission of SA (ITAC)
- Reserve Bank Economic Roundtable
- Bureau for Economic Research (BER)
- Maize Trust
- South African Grain Information Service (SAGIS)
- CEO Forum of DAFF
- BRICS Business Council
- Agriculture Development Agency (AGDA)



4.2 Agbiz Grain representation

Agbiz Grain

- Agbiz Grain Steering Committee
- Agbiz Grain Executive Committee
- Agbiz Grain Technical Committee: Grain quality (for issues such as grading regulations for maize, wheat, soybean, sunflower, sorghum, as well as food safety (HACCP), disputes and sampling apparatus)
- Agbiz Grain Technical Committee: Training (AgriSETA) and Safety
- Agbiz Grain Technical Committee: JSE / Grain Trading
- Agbiz Grain Technical Committee: Transnet National Ports Authority and Road to Rail

General manager serves as director or trustee on industry boards

- Board of the Southern African Grain Laboratories
- Board of the Winter Cereal Trust
- South African Cultivar and Technology Agency (SACTA)

Industry committees

- JSE Agricultural Products Advisory Committee
- Wheat Forum Steering Committee
- Wheat Forum
- Research Technical Committee for Wheat
- Research Technical Committee for Barley
- Maize Forum Steering Committee
- Maize Forum
- Sorghum Forum
- Soybean Working Group
- Sunflower, Soybean and Soyfood Forum
- Sunflower and Soybean Forum
- SA Groundnut Forum
- Crop Estimates Liaison Committee
- Supply and Demand Estimates Liaison Committee

Ad hoc committees

- Single Grain Forum Committee
- SA Winter Cereal Industry Trust Voluntary Levies Committee

Collaborates/interacts with numerous bodies (some constantly, others less frequently)

- Agbiz
- AgriSETA
- Animal Feed Manufacturers Association (AFMA)
- Agricultural Research Council (ARC)
- Crop Estimates Committee (CEC)

- Department of Agriculture, Land Reform and Rural Development (DALRRD)
- Department of Environmental Affairs (DEA)
- Grain Handling Organisation of Southern Africa (GOSA)
- Grain SA
- National Agricultural Marketing Council (NAMC)
- National Chamber of Milling (NCM)
- Protein Research Foundation (PRF)
- SA Chamber of Baking (SACB)
- South African Cereals and Oilseeds Trade Association (SACOTA)
- Southern Africa Shippers Transport and Logistics Council (SASTALC) -Transnet
- Leaf Services
- Bureau for Economic Research (BER)

JSE rules

Since June 2020, Agbiz Grain has continuously and extensively engaged with the JSE to enhance the storage operator requirements in the Detailed Contract Specifications 2021. The latter document was published by the JSE in April for final comments.

4.3 Agbiz Fruit representation

- BUSA Trade and Logistics Sub-Committee
- Nedlac's Trade Sub-Committee (Teselico)
- Agricultural Trade Forum (ATF) of DALRRD





5. Stakeholder engagement

The communications and marketing department plays an important role in promoting the image of Agbiz and engaging with various stakeholders, which include agribusinesses, agricultural producers, government, politicians and regulatory authorities, academia, groups of special interests; international institutions, consumers and the media, among others.

This is done through various communication channels such as the weekly newsletter, ad hoc emails to members on relevant issues, the Agbiz website, research reports and other publications. Further, Agbiz staff members participate in structured engagements, such as Council meetings, workshops, information days and other events.

Weekly reports to our members and other stakeholders include a weekly agricultural viewpoint and highlights from the *Government Gazette*. Other reports focus on what's happening in Parliament, and updates on fuel prices, agricultural machinery sales, the consumer price index, the producer price index and crop estimates. The Agbiz/IDC Agribusiness Confidence Index survey results are published quarterly.

The information Agbiz distributes empowers the target audience to become **better informed and responsible partners** in the economic prosperity of the agribusiness sector of South Africa.

5.1 Digital communication

eNewsletter

This weekly electronic publication represents the views and opinions of Agbiz and includes collective information from various reliable resources in the agribusiness sector. The publication's target audience comprises senior managers and executives in agribusiness, policy and decision-makers in government, industry associations and the media.

Website

The Agbiz website (www.agbiz.co.za) is an informative, user-friendly and in-time communication tool. Agbiz continues to extend the range of the website to provide up-to-date information. The website also serves as an educational tool with historic information, economic indicators, trade information and legislative material for interested parties. It also provides links to a host of other important sources. The website has had a complete makeover, not just in terms of look and feel on the front-end, but also the backend with the integration of an administrative portal, with various functionalities such as member logins, a discussion portal and an RSVP system, among others.

Social media

Agbiz's presence on social media keeps growing. Facebook, Twitter, LinkedIn and Instagram are used to engage with stakeholders on economic, policy, trade and social matters.

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South Africa.



5.2 Events

Agbiz hosted the following events during the period under review.

Agbiz Congress 2018

The Agbiz Congress 2018, themed “Uncertainty creates opportunity”, was hosted by the Agricultural Business Chamber (Agbiz) from 7 to 8 June in Port Elizabeth, Eastern Cape. More than 400 key leaders and decision-makers convened at this premier agribusiness network opportunity to discuss and influence the future of the broader South African agro-food industry.

Agbiz information sessions

Agbiz hosted two information sessions every year, one in Paarl and one in Pretoria, focused on specific legislation, including land reform, water reform and climate change legislation, as well as important sectoral economic and ag-economic indicators. In 2020, during the pandemic, only one hybrid session was hosted, with the physical meeting in Pretoria.

Workshops

Several workshops were organised and facilitated by Agbiz over the review period. The workshops sought out participation from members and partners with expertise in developing policies, legislation, strategies and guidelines. They also provide government and government institutions with the necessary platforms to engage the private sector on developments that need to be noted for strategic decision-making.

Council meetings

Agbiz administration furthermore hosted three Council meetings per year, which included various topical guest speakers and effective networking dinners. Since the outbreak of Covid-19 in March 2020, the Council meetings were hosted on a virtual platform.



5.3 Presentations

Over the review period, Agbiz made more than 100 presentations to a range of external and internal stakeholders, including high-level invited participation at local and international events. Numerous presentations were also made to members and stakeholders on critical issues that affect their strategic planning.

5.4 Media engagement

Agbiz's media coverage has improved significantly over the period under review owing to established good relationships with members of the media.

Regular interaction
with journalists, reporters and editors keeps
our stakeholders informed and promote a fair
representation of Agbiz in the media.

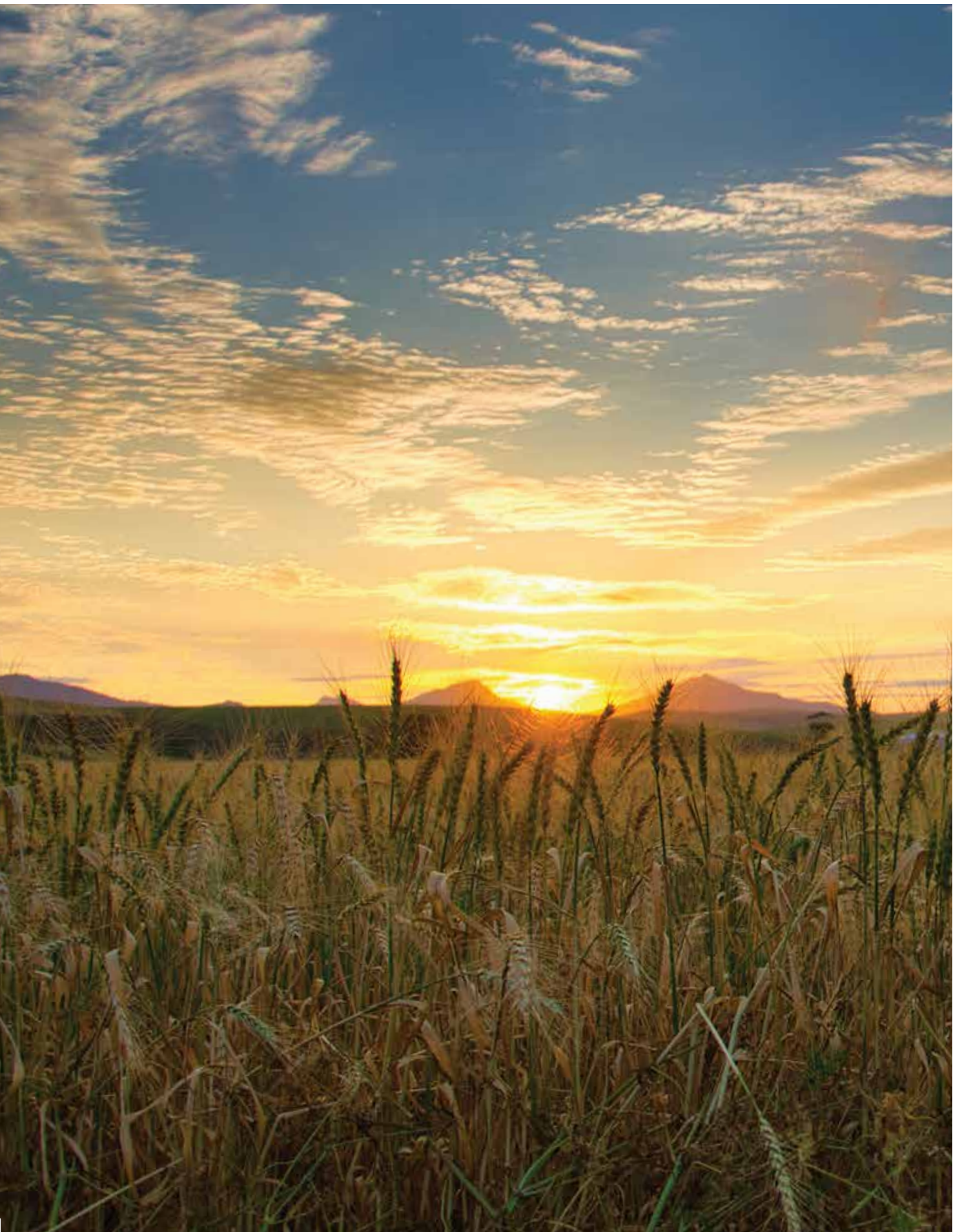
Print, broadcast and online media monitoring is outsourced and reports of coverage are received daily and are published in our newsletter and on the website, as appropriate. During the period under review, coverage was mainly focused on the issues of land reform, the drought and food security, investment in agriculture and international trade. An independent media monitoring company tracks our media and online presence to assist us in meaningful and impactful media liaison.

Agbiz hosted three media days during the reporting period to unpack the current state of affairs, major developing trends and forecasts, policies and influences in the economy as well as implications for agribusiness.

Mr Wandile Sihlobo continues to write regular columns for *Fin 24*, *Daily Maverick*, *Business Day*, as well as a weekly column for *Farmer's Weekly*. Messrs Theo Boshoff and Wessel Lemmer also contribute regularly to *Landbouweekblad* and *Farmer's Weekly*.







6. Human capital development

Attracting young talent to the agricultural sector is a focus area for Agbiz. Several programmes have been put in place to achieve this objective.

6.1 Agribusiness Centenary Bursary

The Agribusiness Centenary Bursary Fund was established in honour of several Agbiz members who celebrated 100 years of existence. Postgraduate students in agricultural economics or agribusiness-related fields can apply for this annual bursary. Excellent applications were received and the best student was selected on merit. In 2018, the bursary was awarded to Ms Hester Vermeulen, a doctoral student in Nutrition at the University of Pretoria. In 2019, the bursary was awarded to Ms Lerato Ramafoko, who is studying towards a Master's degree in Agricultural Economics at Stellenbosch University. In 2020, Reabetswe Monchonyane, a Master's student in Agricultural Economics at the University of Pretoria, received the bursary. Due to circumstances related to the Covid-19 pandemic, Agbiz did not award a bursary in 2021.

6.2 Agbiz Congress Student Promotion Project

Agbiz hosted a student promotion programme during the Agbiz Congress in 2018. Sixteen outstanding students, selected from various universities across the country, were individually sponsored by Agbiz members to attend. The students enjoyed the opportunity to network with agribusiness executives and received exposure to issues pertaining to agribusinesses. Some of these students also participated in the Agbiz/IFAMA Student Case Competition.



6.3 Linking academia with agribusiness

Agbiz made an intentional decision to attempt to link South African academia with agribusinesses. As an outflow of the Agbiz / IFAMA Student Case Competition the case study methodology will be promoted among academia and businesses will be kept in the loop and encouraged to become involved.

Currently, Agbiz seeks involvement with universities wherever possible. Staff members regularly make presentations and give special lectures at several universities.

6.4 Grain Depot Manager Qualification

The Quality Council for Trades and Occupations (QCTO) confirmed with Agbiz Grain that no further inputs are required and that the inputs for Agbiz Grain regarding the administrative requirement for this qualification have been concluded. The QCTO acknowledges the work done by AgriSETA and will give AgriSETA exact details as to when the qualification will be submitted to each committee at QCTO and what the turnaround time will be. The submission to South African Qualifications Authority (SAQA) for registration follows, after which public comments are called for. When no further comments are received from the public, the QCTO registers the qualification on the SAQA framework. It is then communicated to the qualification development partners, in this case AgriSETA as well as to the community of expert practitioners at every stage. Based on the inputs made by Agbiz Grain and the feedback received from the QCTO, we expect the registration of the qualification in 2021.



6.5 Human capital development within Agbiz

The following staff members have either completed their studies during the reporting period or are currently busy with further studies:

Natasha Swanepoel

In 2019, Ms Swanepoel completed the Chartered Institute of Management Accountants (CIMA) Professional Qualification in order to become a chartered global management accountant (CGMA).

Theo Boshoff

In 2019, Mr Boshoff completed a Master of Laws (LLM) on aspects of international law at North-West University. His research was conducted under the supervision of Prof. Elmien du Plessis. The dissertation focused on the role which the valuer general plays in the determination of compensation for expropriation. The degree was awarded cum laude. In 2021, Mr Boshoff started studying towards a Postgraduate Diploma in Business Management (PGDip) at North-West University and expects to complete the qualification by the end of 2022.

Karen Grobler

In 2020, Ms Grobler completed the Copy-editing and Proofreading course at the SA Writers' College. It is a rigorous course for language practitioners that enables them to make informed, consistent and confident decisions in their copy-editing and proofreading.

Liezl Esterhuizen

Ms Esterhuizen is currently studying towards a Junior Bookkeeping Certificate at the Institute of Certified Bookkeepers.







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