

Terms of Reference

Berries Joint Marketing Forum (BJMF)

1. Name

- 1.1. The provisional name of the forum will be termed the *Berries Joint Marketing Forum*, abbreviated as *BJMF*.
- 1.2. The *Berries Joint Marketing Forum* will comprise of all relevant stakeholders involved in the production and/or exports of blueberries, raspberries and blackberries
- 1.3. The forum name will be finalised at commencement of the first forum meeting.

2. Aims

- 2.1. To serve as a centralized platform for stakeholders involved in berry production or exports, deliberating and communicating critical information with regards to,
 - 2.1.1. The planning, marketing and decision making process in the production and exports of fresh berries to the various countries of destination for enhancing competitiveness of the South African berry industry.
 - 2.1.2. To assess and communicate the production and crop estimate of berries
 - 2.1.3. To assess and communicate the marketing decisions involved in the export process to the various countries of destination according to updated data received during the season.
 - 2.1.4. To assess and communicate South African berry competitors' historical and current export volumes to the relevant export markets.
 - 2.1.5. To communicate weekly and/or biweekly estimated volumes, historical prices, shipping volumes and marketing constraints relevant to the current season.
 - 2.1.6. To communicate any relevant matters of interest to stakeholders.

3. Objectives

- 3.1. To identify ways and means of streamlining the planning and marketing process of berries by analysing and interpreting relevant data and information accumulated during the season, to assist in identifying and maximising market potential
- 3.2. To build on successes for increased market share of South African berries.
- 3.3. To update all stakeholders in the production and exports of berries in the market environment.

3.4. The Forum will not have decision making powers and will thus only provide information and advice which can enable/assist role players in their decisions.

4. Administration

- 4.1. The Forum is an independent body looking after the interests of all berry stakeholders.
- 4.2. The Forum must conduct itself in terms of sound principles and be guided by all stakeholders in terms of meeting the objectives as described in section 3 above.
- 4.3. With a view to the above aims, the Forum shall,
 - 4.3.1. Conduct all its business in one or more of the official languages, but preferably English.
 - 4.3.2. Promote only matters, which in the opinion of the forum are in the interests of all stakeholders.

5. Members and Stakeholders

- 5.1. All stakeholders involved in the production and exports of berries, where stakeholders paid the minimum subscription are eligible to be members of the forum.
- 5.2. Subscribed members will be invited by invitation only, to be actively involved in the forum and forum activities.
- 5.3. The primary stakeholder groups that are expected to be actively involved in forum meetings have been identified but not limited to the following,
 - 5.3.1. South African Berry Association
 - 5.3.2. Fresh Producers Exporters Forum (FPEF)
 - 5.3.3. The Perishable Products Export Control Board (PPECB),
 - 5.3.4. Department of Agriculture, Land Reform and Rural Development(DALRRD)
 - 5.3.5. Berry Exporters and Logistics Agents/Service providers
 - 5.3.6. Producer and/or producer representatives
- 5.4. Stakeholders may elect an independent person/s to be representative within the forum, either on a permanent or temporary basis.
- 5.5. Stakeholders of the forum may put forward or recommend a representative/s to the forum on a temporary or permanent basis based on decision by the chairmanship.

6. Chairperson and Vice-Chairperson

- 6.1. The forum will be co-chaired by the Berry Association and the FPEF.
- 6.2. The forum representatives shall elect a Chairperson and Vice Chairperson for the forum at the commencement of the new export season depicted from both the Berry Association and the FPEF.
- 6.3. The Chairperson and Vice Chairperson shall be elected and stand until such time they wish to renounce their duty or at the end of the exporting season.
- 6.4. In the event of the chairmanship becoming vacant, the Vice-chairperson shall occupy the position until the next forum meeting, when the members of the forum, shall by mutual agreement appoint a new Chairperson.
- 6.5. In the event of the position of Vice-Chairperson becoming vacant, the forum shall fill the vacancy at its next meeting through mutual consent.

6.6. The Chairmanship, in the event of both being absent, a person elected thereto by the members, shall preside over the meetings of the Forum.

7. Secretary

7.1. The Berry Association shall provide secretarial duties for the forum.

7.2. Draft minutes will be prepared and circulated for all meetings at least within 7 days after a meeting has concluded.

7.3. Changes to the draft minutes should be communicated at least 2 days upon distribution of minutes.

7.4. Final minutes of meetings shall be agreed upon at the next sitting of the forum.

8. Meetings

8.1. Meetings will be conducted and information shared in accordance with the relevant requirements of the South African Competition Commission.

8.2. The forum shall meet physically and/or virtually as and when necessary to conduct its business in order to meet the objectives.

8.3. All matters submitted to any meeting shall be decided on by consensus of those present at the meeting.

8.4. Frequency of meetings will be decided on by the forum and chairmanship, but will address the seasonal dynamics and commercial urgency of the industry.

9. Notice of Meetings

9.1. Notice of meetings of the Forum shall be given in writing at least 7 days prior to the date set for the meeting.

9.2. All representatives wishing to join the meetings by means of virtual facilities (teleconference, ZOOM, MA Teams, Skype) must give written notice to the convenor at least 48 hours prior to the meeting..

10. Quorum

Meetings of the forum may proceed without a quorum.

11. Finance and Costs

11.1. The Berry Association and the FPEF will recover related costs for all meetings of the forum.

11.2. The Berry Association will provide secretarial and administration free of charge to the forum.

11.3. The Berry Association and the FPEF will provide venues free of charge to all forum members.

11.4. The forum may decide to employ resources and/or consultants to carry out other activities. The forum chairmanship will decide how to fund such activities.

12. Conflict of Interest and Confidentiality

12.1. Where there is a conflict of interest on any agenda item, representatives shall declare this interest at the beginning of the meeting and be prepared to withdraw if necessary. Any such withdrawal will be recorded in the notes. If the member is

aware its representative has a conflict of interest before the meeting, it should consider fielding a substitute.

- 12.2. Any and all information received and distributed to members of the forum must be treated in confidentiality. At no time may sensitive information be disclosed and/or distributed without consent of the person/s and/or organisation/s that have provided such information.
- 12.3. The forum convenor must act responsibly with sensitive information which may be provided from time to time.
- 12.4. Members of the forum must be aware of their responsibilities in regard to Competition Law.
- 12.5. At forum meetings no market agreements will be decided or discussed whether they involve prices, amounts or areas.
- 12.6. Such behaviour outside of forum meetings is also prohibited by law and could cause immense damage to the forum and its members.