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No. 16992

PROCLAMATION

by the

President

of the Republic of South Africa

No. R. 7, 1996

ASSIGNMENT TO THE PROVINCES OF ACTS OF PARLIAMENT RELATING TO WELFARE UNDER SECTION 235 (8) OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1993

Under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), I hereby—

- assign with effect from the date upon which the Social Assistance Act, 1992 (Act No. 59 of 1992), shall come into operation, the administration of the laws specified in the first column of Part 1 of the Schedule, excluding those provisions (if any) of the said laws which fall outside the functional areas specified in Schedule 6 to the Constitution or which relate to matters referred to in paragraphs (a) to (e) of section 126 (3) of the Constitution to a competent authority within the jurisdiction of the government of a province mentioned in section 124 (1) of the Constitution, designated in respect of each such law by the Premier of the province concerned;
- determine that the said laws are assigned to the extent specified opposite each such law in the second column of Part 1 of the Schedule in so far as such a law is applicable in, or in a part of, the province concerned;
- amend with effect from the date referred to in paragraph (a) the said laws to the extent set out opposite each law in the third column of Part 1 of the Schedule; and
- amend with effect from the date of this Proclamation section 22 of the Social Assistance Act, 1992, as set out in Part 2 of the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Fifteenth day of February, One thousand Nine hundred and Ninety-six.

N. R. MANDELA

President

By Order of the President-in-Cabinet:

Z. S. T. SKWEIYA

Minister of the Cabinet

SCHEDULE

PART 1

Title, No. and year of law	Extent of assignment	Amendments
1. Aged Persons Act, 1967 (Act No. 81 of 1967)	The whole, excluding sections 5, 6 and 16	1. The amendment of section 1 — (a) by the substitution in subsection (1) for the definition of "Director-General" of the following definition: " 'Director-General', in so far as a provision of this Act is applied in or with reference to a particular province, means the officer who is the head of the component which is charged with welfare matters in the provincial administration of that province;"; (b) by the substitution in subsection (1) for the definition of "Minister" of the following definition: " 'Minister', in so far as a provision of this Act is applied in or with reference to a particular province, means the competent authority to whom the administration of this Act has under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), been assigned in that province;"; (c) by the insertion in subsection (1) after the definition of "Minister" of the following definition: " 'Minister of Finance', in so far as a provision of this Act is applied in or with reference to a particular province, means the member of the Executive Council of that province responsible for the budget in the province;"; and (d) by the insertion in subsection (1) after the definition of "prescribed" of the following definitions: " 'province' means a province established in terms of section 124 of the Constitution of the Republic of South Africa, 1993; " 'provincial administration', in so far as a provision of this Act is applied in or with reference to a particular province, means the provincial administration established for that province by the Public Service Act, 1994 (Proclamation No. 103 of 1994);" 2. The amendment of section 2 by the substitution for the expression "Parliament" of the expression "the Provincial Legislature concerned".
2. National Welfare Act, 1978 (Act No. 100 of 1978)	The whole, excluding — (a) sections 2, 3, 4, 20 and 22A (1) and (2) (a) and (b); and (b) sections 1, 18 and 21 (d) and (g), in so far as they apply or relate to the sections referred to in paragraph (a) above	1. The amendment of section 1 — (a) by the insertion after the definition of "council" of the following definition: " 'date of assignment' means the date upon which the administration of a provision of this Act has under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), been assigned to a competent authority within the government of a province;"; (b) by the substitution for the definition of "Minister" of the following definition: " 'Minister' — (a) in so far as the administration of a provision of this Act has under section 235 (8) of the Constitution of the Republic of South Africa, 1993, been assigned to a competent authority within the government of a province and the provision is applied in or with reference to the province concerned, means that competent authority; or

Title, No. and year of law	Extent of assignment	Amendments
		(b) in so far as the administration of a provision of this Act has not been so assigned, means the Minister for Welfare and Population Development in the national government;"; (c) by the insertion after the definition of "Minister" of the following definition: " 'Minister of Finance' — (a) in so far as the administration of a provision of this Act has under section 235 (8) of the Constitution of the Republic of South Africa, 1993, been assigned to a competent authority within the government of a province and the provision is applied in or with reference to the province concerned, means the member of the Executive Council of that province responsible for the budget in the province; or (b) in so far as the administration of a provision of this Act has not been so assigned, means the Minister of Finance in the national government;"; (d) by the insertion after the definition of "prescribed" of the following definitions: " 'province' means a province established in terms of section 124 of the Constitution of the Republic of South Africa, 1993; 'provincial administration' means the provincial administration established for a province by the Public Service Act, 1994 (Proclamation No. 103 of 1994);"; (e) by the substitution for the definition of "region" of the following definition: " 'region', in so far as a provision of this Act is applied in or with reference to a particular province, means a region established under section 5 (1) within that province;"; (f) by the substitution for the definition of "regional welfare board" of the following definition: " 'regional welfare board', in relation to a region, means the regional welfare board established under section 6 (1) in respect of that region;"; (g) by the deletion of the definition of "Republic"; (h) by the substitution for the definition of "Secretary" of the following definition: " 'Secretary' — (a) in so far as the administration of a provision of this Act has under section 235 (8) of the Constitution of the Republic of South Africa, 1993, been assigned to a competent authority within the government of a province and the provision is applied in or with reference to the province concerned, means the officer who is the head of the component which is charged with welfare matters in the provincial administration of that province; or (b) in so far as the administration of a provision of this Act has not been so assigned, means the Director-General: Welfare;";

Title, No. and year of law	Extent of assignment	Amendments
		(i) by the substitution for paragraph (a) of the definition of "social welfare services" of the following paragraph: "(a) social work as defined in section 1 of the Social Work Act, 1978 (Act No. 110 of 1978);"; and (j) by the substitution for the definition of "social worker" of the following definition: " 'social worker' means any person registered as a social worker under section 17 of the Social Work Act, 1978;". 2. The amendment of section 5— (a) by the substitution for the expression "<i>Gazette</i>" of the expression "<i>Provincial Gazette</i>"; and (b) by the addition of the following subsection, the existing section becoming subsection (1): "(2) Every region which was established under subsection (1) and situated immediately prior to the date of assignment within more than one province, shall be disestablished with effect from that date." 3. The amendment of section 6— (a) by the substitution for the expression "<i>Gazette</i>" of the expression "<i>Provincial Gazette</i>"; and (b) by the addition of the following subsection, the existing section becoming subsection (1): "(2) Any regional welfare board established for a region referred to in section 5 (2) shall be abolished with effect from the date of assignment." 4. The amendment of section 10 by the substitution for subsection (7) of the following subsection: "(7) For the purposes of this section, 'training institution' shall mean a training institution as referred to in section 15 (4) of the Social Work Act, 1978 (Act No. 110 of 1978)." 5. The amendment of section 11 by the addition to subsection (5) of the following paragraph: "(h) Any welfare committee appointed by a regional welfare board referred to in section 6 (2), shall cease to exist with effect from the date of assignment." 6. The amendment of section 13 by the substitution for subsection (4) of the following subsection: "(4) Notwithstanding the provisions of sections 5 (2) and 6 (2), any welfare organization registered immediately prior to the date of assignment in terms of this section for a region which was situated within more than one province shall, for a period of not more than five years after that date, be deemed to be registered in terms of this section in every such province in respect of that part of the said region which was situated within the province concerned: Provided that— (a) the Minister concerned may exercise the powers conferred upon a regional welfare board under section 14 in respect of such a welfare organization during the said period; and

Title, No. and year of law	Extent of assignment	Amendments
		(b) such a welfare organization may at any time apply to an appropriate regional welfare board for registration in terms of this section, and if such a welfare organization is registered in terms of this section during the said period, the provisions of this subsection shall cease to apply in respect of such a welfare organization." 7. The amendment of section 14 by the substitution in paragraph (b) of subsection (6) for the expression "Gazette" of the expression "Provincial Gazette". 8. The amendment of section 18 by the insertion after the expression "department", wherever it occurs, of the expression "or the component, as the case may be,". 9. The amendment of section 19 by the substitution in subsection (2) for the expression "Parliament" of the expression "the Provincial Legislature concerned". 10. The substitution for section 20 of the following section: "Financial aid to national councils 20. (1) The Minister may, after consultation with the Premier of each province and with the concurrence of the Minister of Finance, out of moneys appropriated by Parliament for that purpose, make grants to any national council in so far as such a council organizes and represents welfare organizations on a national basis. (2) A grant made in terms of subsection (1) shall be subject to the prescribed conditions and to such other conditions as the Minister may, with the concurrence of the Minister of Finance, determine." 11. The insertion of the following section before section 23: "Repeal of Act 104 of 1987 22A. (1) Subject to the provisions of subsection (2), the Community Welfare Act (House of Representatives), 1987 (Act No. 104 of 1987), is hereby repealed. (2) Notwithstanding the repeal of the said Act— (a) any agreement which was concluded under section 14 (1) of the said Act for the implementation of a service programme and binding between the parties concerned immediately prior to the date of assignment, shall continue to exist until it is amended or terminated by the Director-General: Welfare; (b) the Minister may, with the concurrence of the Minister of Finance, out of moneys appropriated by Parliament for that purpose, make grants to organizations or branches relating to such service programme on such conditions as the Minister may, with the concurrence of the Minister of Finance, determine; and (c) any regulation which was made under section 21 of the said Act and in force immediately prior to the date of assignment, shall remain of force until it is amended or repealed under section 44 of the Health Act, 1977 (Act No. 63 of 1977)."

Title, No. and year of law	Extent of assignment	Amendments
3. Social Assistance Act, 1992 (Act No. 59 of 1992)	The whole excluding section 13	1. The amendment of section 1 — (a) by the substitution for the definition of "Director-General" of the following definition: “ ‘Director-General’, in so far as a provision of this Act is applied in or with reference to a particular province, means the officer who is the head of the component which is charged with welfare matters in the provincial administration of that province;”; (b) by the substitution for the definition of "Minister" of the following definition: “ ‘Minister’, in so far as a provision of this Act is applied in or with reference to a particular province, means the competent authority to whom the administration of this Act has under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), been assigned in that province;”; (c) by the insertion after the definition of "Minister" of the following definition: “ ‘Minister of Finance’, in so far as a provision of this Act is applied in or with reference to a particular province, means the member of the Executive Council of that province responsible for the budget in the province;”; (d) by the deletion of the definition of "national council"; (e) by the insertion after the definition of "prescribe" of the following definitions: “ ‘province’ means a province established in terms of section 124 of the Constitution of the Republic of South Africa, 1993; ‘provincial administration’ means the provincial administration established for a province by the Public Service Act, 1994 (Proclamation No. 103 of 1994);”; (f) by the deletion of paragraph (a) of the definition of "South African citizen"; (g) by the substitution for paragraph (c) of the said definition of "South African citizen" of the following paragraph: “(c) is a member of a group or category of persons defined by the Minister, with the concurrence of the Minister of Finance, by notice in the <i>“Provincial Gazette”</i>;”; (h) by the substitution for the definition of "welfare organization" of the following definition: “ ‘welfare organization’, in so far as a provision of this Act is applied in or with reference to a particular province, means a welfare organization which is registered in terms of section 13 (1) of the National Welfare Act, 1978 (Act No. 100 of 1978), or which is deemed to be registered in terms of section 13 (4) of that Act.” 2. The amendment of section 2 by the substitution for the expression "Parliament" of the expression "the Provincial Legislature concerned".

Title, No. and year of law	Extent of assignment	Amendments
		3. The substitution for section 5 of the following section: "Financial awards to welfare organizations and persons 5. (1) The Minister may, subject to the provisions of this Act and with the concurrence of the Minister of Finance, out of moneys appropriated by the Provincial Legislature concerned for that purpose, make financial awards to— (a) welfare organizations which undertake or take or co-ordinate organized activities, measures or social welfare programmes regarding— (i) family care; (ii) care of the aged; (iii) social security; (iv) care of the disabled; (v) alcohol and drug dependency; and (vi) care of the offender; (b) any organization contemplated in section 1 of the Fund-raising Act, 1978 (Act No. 107 of 1978), which in terms of its constitution has the care of mentally or psychiatrically disabled persons as one of its objects. (2) The Director-General may, subject to the provisions of this Act, make a financial award to a person if he or she is satisfied that such person is in need of social relief of distress." 4. The amendment of section 9— (a) by the substitution for subsection (1) of the following subsection: "(1) If an amount of money is paid to a person in the belief that he or she is entitled thereto in terms of this Act, or an Act repealed by this Act, while he or she was in fact not entitled thereto, such amount shall be an amount due to the State by such person or, if he or she is deceased, his or her estate."; and (b) by the substitution for subsection (5) of the following subsection: "(5) The Treasury of the province concerned, or any person authorized thereto by that Treasury, may in its or his or her discretion write off the whole or any portion of an amount owing to the State in terms of this section, if that Treasury or assignee is satisfied that recovery of such amount would be uneconomical or cause undue hardship to the debtor concerned or his or her dependants because they would be deprived of the minimum essential means of livelihood." 5. The amendment of section 19— (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words: "The Minister may after consultation with the Minister for Welfare and Population Development, in the national government, make regulations as to—"; and (b) by the substitution in subsection (3), for the expression "Parliament" of the expression "the Provincial Legislature concerned".

Title, No. and year of law	Extent of assignment	Amendments
		6. The repeal of section 21. 7. The amendment of the Schedule— (a) by the deletion of the items relating to the Aged Persons Act, 1967 (Act No. 81 of 1967), the Abuse of Dependence-producing Substances and Rehabilitation Centres Act, 1971 (Act No. 41 of 1971), the Mental Health Act, 1973 (Act No. 18 of 1973), the National Welfare Act, 1978 (Act No. 100 of 1978), the Child Care Act, 1983 (Act No. 74 of 1983), and the Community Welfare Act (House of Representatives), 1987 (Act No. 104 of 1987); (b) by the substitution for the expression occurring in the third column opposite "Blind Persons Act, 1968" of the expression "The whole"; and (c) by the addition of the following item: "118 of 1993 . . . Health and Welfare Matters Amendment Act, 1993 . . . Section 16".

PART 2: AMENDMENT OF SECTION 22 OF THE SOCIAL ASSISTANCE ACT, 1992 (ACT NO. 59 OF 1992)

The amendment of section 22 of the Social Assistance Act, 1992, by the substitution for the expression "State President" of the expression "President".

PROKLAMASIE

van die

President

van die Republiek van Suid-Afrika

No. R. 7, 1996

OPDRA AAN DIE PROVINSIËS VAN PARLEMENTSWETTE MET BETREKKING TOT WELSYN KRAGTENS ARTIKEL 235 (8) VAN DIE GRONDWET VAN DIE REPUBLIEK VAN SUID-AFRIKA, 1993

Kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993)—

- dra ek hierby met ingang van die datum waarop die Wet op Maatskaplike Bystand, 1992 (Wet No. 59 van 1992), in werking tree, die uitvoering van die wette vermeld in die eerste kolom van Deel 1 van die Bylae, uitgesonderd daardie bepalings (indien enige) van gemelde wette wat buite die funksionele terreine vermeld in Bylae 6 by die Grondwet val of wat betrekking het op aangeleenthede bedoel in paragrafe (a) tot (e) van artikel 126 (3) van die Grondwet, op aan 'n bevoegde gesag binne die regsbevoegdheid van die regering van 'n provinsie vermeld in artikel 124 (1) van die Grondwet wat ten opsigte van elke sodanige wet deur die Premier van die betrokke provinsie aangewys word;
- bepaal ek hierby dat gemelde wette opgedra word in die mate teenoor elke sodanige wet in die tweede kolom van Deel 1 van die Bylae vermeld, vir sover so 'n wet in, of in 'n gedeelte van, die betrokke provinsie van toepassing is;
- wysig ek hierby met ingang van die datum bedoel in paragraaf (a) gemelde wette in die mate teenoor elke wet in die derde kolom van Deel 1 van die Bylae uiteengesit; en
- wysig ek hierby met ingang van die datum van hierdie Proklamasie artikel 22 van die Wet op Maatskaplike Bystand, 1992, soos in Deel 2 van die Bylae uiteengesit.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Vyftiende dag van Februarie Eenduisend Negehoenderd Ses-en-negentig.

N. R. MANDELA

President

Op las van die President-in-Kabinet:

Z. S. T. SKWEIYA

Minister van die Kabinet

BYLAE

DEEL 1

Titel, No. en jaar van wet	Mate waarin opgedra	Wysigings
1. Wet op Bejaarde Persone, 1967 (Wet No. 81 van 1967)	Die geheel, uitgesonderd artikels 5, 6 en 16	1. Die wysiging van artikel 1 — (a) deur in subartikel (1) die omskrywing van "Direkteur-generaal" deur die volgende omskrywing te vervang: " 'Direkteur-generaal', vir sover 'n bepaling van hierdie Wet in of met betrekking tot 'n bepaalde provinsie toegepas word, die beampte wat aan die hoof staan van die komponent wat met welsynsaangeleenthede belas is in die provinsiale administrasie van daardie provinsie;" (b) deur in subartikel (1) die omskrywing van "Minister" deur die volgende omskrywing te vervang: " 'Minister', vir sover 'n bepaling van hierdie Wet in of met betrekking tot 'n bepaalde provinsie toegepas word, die bevoegde gesag aan wie die uitvoering van hierdie Wet kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), in daardie provinsie opgedra is;" (c) deur in subartikel (1) na die omskrywing van "Minister" die volgende omskrywing in te voeg: " 'Minister van Finansies', vir sover 'n bepaling van hierdie Wet in of met betrekking tot 'n bepaalde provinsie toegepas word, die lid van die Uitvoerende Raad van daardie provinsie verantwoordelik vir die begroting in die provinsie;" en (d) deur in subartikel (1) na die omskrywing van "pensioen-trekker" die volgende omskrywings in te voeg: " 'provinsiale administrasie', vir sover 'n bepaling van hierdie Wet in of met betrekking tot 'n bepaalde provinsie toegepas word, die provinsiale administrasie ingestel vir daardie provinsie by die Staatsdienswet, 1994 (Proklamasie No. 103 van 1994); " 'provinsie' 'n provinsie ingestel ingevolge artikel 124 van die Grondwet van die Republiek van Suid-Afrika, 1993;"
2. Nasionale Welsynswet, 1978 (Wet No. 100 van 1978)	Die geheel, uitgesonderd — (a) artikels 2, 3, 4, 20 en 22A (1) en (2) (a) en (b); en (b) artikels 1, 18 en 21 (d) en (g), vir sover hulle van toepassing is of betrekking het op die artikels bedoel in paragraaf (a) hierbo	2. Die wysiging van artikel 2 deur die uitdrukking "Parlement" deur die uitdrukking "betrokke Provinsiale Wetgewer" te vervang. 1. Die wysiging van artikel 1 — (a) deur voor die omskrywing van "geregisteerde tak" die volgende omskrywing in te voeg: " 'datum van opdrag' die datum waarop die uitvoering van 'n bepaling van hierdie Wet kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), aan 'n bevoegde gesag binne die regering van 'n provinsie opgedra is;" (b) deur paragraaf (a) van die omskrywing van "maatskaplike welsynsdienste" deur die volgende paragraaf te vervang: "(a) maatskaplike werk soos in artikel 1 van die Wet op Maatskaplike Werk, 1978 (Wet No. 110 van 1978), omskryf;"

Titel, No. en jaar van wet	Mate waarin opgedra	Wysigings
		(c) deur die omskrywing van "maatskaplike werker" deur die volgende omskrywing te vervang: " 'maatskaplike werker' iemand wat kragtens artikel 17 van die Wet op Maatskaplike Werk, 1978, as 'n maatskaplike werker geregistreer is;"; (d) deur die omskrywing van "Minister" deur die volgende omskrywing te vervang: " 'Minister'— (a) vir sover die uitvoering van 'n bepaling van hierdie Wet kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993, aan 'n bevoegde gesag binne die regering van 'n provinsie opgedra is en die bepaling in of met betrekking tot die betrokke provinsie toegepas word, daardie bevoegde gesag; of (b) vir sover die uitvoering van 'n bepaling van hierdie Wet nie aldus opgedra is nie, die Minister vir Welsyn en Bevolkingsontwikkeling in die nasionale regering;"; (e) deur na die omskrywing van "Minister" die volgende omskrywing in te voeg: " 'Minister van Finansies'— (a) vir sover die uitvoering van 'n bepaling van hierdie Wet kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993, aan 'n bevoegde gesag binne die regering van 'n provinsie opgedra is en die bepaling in of met betrekking tot die betrokke provinsie toegepas word, die lid van die Uitvoerende Raad van daardie provinsie verantwoordelik vir die begroting in die provinsie; of (b) vir sover die uitvoering van 'n bepaling van hierdie Wet nie aldus opgedra is nie, die Minister van Finansies in die nasionale regering;"; (f) deur na die omskrywing van "nominasielys" die volgende omskrywings in te voeg: " 'provinsiale administrasie' die provinsiale administrasie ingestel vir 'n provinsie by die Staatsdienswet, 1994 (Proklamasie No. 103 van 1994); 'provinsie' 'n provinsie ingestel ingevolge artikel 124 van die Grondwet van die Republiek van Suid-Afrika, 1993;"; (g) deur die omskrywing van "Republiek" te skrap; (h) deur die omskrywing van "Sekretaris" deur die volgende omskrywing te vervang: " 'Sekretaris'— (a) vir sover die uitvoering van 'n bepaling van hierdie Wet kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993, aan 'n bevoegde gesag binne die regering van 'n provinsie opgedra is en die bepaling in of met betrekking tot die betrokke provinsie toegepas word, die beampte wat aan die hoof staan van die komponent wat met welsynsaangeleenthede belas is in die provinsiale administrasie van daardie provinsie; of

Titel, No. en jaar van wet	Mate waarin opgedra	Wysigings
		(b) vir sover die uitvoering van 'n bepaling van hierdie Wet nie aldus opgedra is nie, die Direkteur-generaal: Welsyn;"; (i) deur die omskrywing van "streek" deur die volgende omskrywing te vervang: " 'streek', vir sover 'n bepaling van hierdie Wet in of met betrekking tot 'n bepaalde provinsie toegepas word, 'n streek kragtens artikel 5 (1) binne daardie provinsie ingestel;"; en (j) deur die omskrywing van "streekwelsynsraad" deur die volgende omskrywing te vervang: " 'streekwelsynsraad', met betrekking tot 'n streek, die streekwelsynsraad kragtens artikel 6 (1) ten opsigte van dié streek ingestel;". 2. Die wysiging van artikel 5— (a) deur die uitdrukking "Staatskoerant" deur die uitdrukking "Provinsiale Koerant" te vervang; en (b) deur die volgende subartikel by te voeg, terwyl die bestaande artikel subartikel (1) word: "(2) Elke streek wat kragtens subartikel (1) ingestel en onmiddellik voor die datum van opdrag binne meer as een provinsie geleë was, word met ingang van daardie datum opgehef." 3. Die wysiging van artikel 6— (a) deur die uitdrukking "Staatskoerant" deur die uitdrukking "Provinsiale Koerant" te vervang; en (b) deur die volgende subartikel by te voeg, terwyl die bestaande artikel subartikel (1) word: "(2) 'n Streekwelsynsraad wat vir 'n streek bedoel in artikel 5 (2) ingestel was, word met ingang van die datum van opdrag afgeskaf." 4. Die wysiging van artikel 10 deur subartikel (7) deur die volgende subartikel te vervang: "(7) By die toepassing van hierdie artikel beteken 'opleidingsinrigting' 'n opleidingsinrigting soos bedoel in artikel 15 (4) van die Wet op Maatskaplike Werk, 1978 (Wet No. 110 van 1978)." 5. Die wysiging van artikel 11 deur die volgende paragraaf by subartikel (5) te voeg: "(h) 'n Welsynskomitee wat deur 'n streekwelsynsraad bedoel in artikel 6 (2) aangestel was, hou op om te bestaan met ingang van die datum van opdrag." 6. Die wysiging van artikel 13 deur subartikel (4) deur die volgende subartikel te vervang: "(4) Ondanks die bepalings van artikels 5 (2) en 6 (2) word 'n welsynsorganisasie wat onmiddellik voor die datum van opdrag ingevolge hierdie artikel geregistreer was vir 'n streek wat binne meer as een provinsie geleë was, vir 'n tydperk van hoogstens vyf jaar na daardie datum geag ingevolge hierdie artikel geregistreer te wees in elke sodanige provinsie ten opsigte van daardie gedeelte van genoemde streek wat binne die betrokke provinsie geleë was: Met dien verstande dat— (a) die betrokke Minister gedurende genoemde tydperk die bevoegdhede wat kragtens artikel 14 aan 'n streekwelsynsraad verleen word ten opsigte van so 'n welsynsorganisasie kan uitoefen; en

Titel, No. en jaar van wet	Mate waarin opgedra	Wysigings
		(b) so 'n welsynsorganisasie te eniger tyd by 'n toepaslike streekwelsynsraad om registrasie ingevolge hierdie artikel aansoek kan doen, en indien so 'n welsynsorganisasie gedurende die genoemde tydperk ingevolge hierdie artikel geregistreer word, hou die bepalings van hierdie subartikel op om ten opsigte van so 'n welsynsorganisasie van toepassing te wees." 7. Die wysiging van artikel 14 deur in paragraaf (b) van subartikel (6) die uitdrukking "Staatskoerant" deur die uitdrukking "Provinsiale Koerant" te vervang. 8. Die wysiging van artikel 18 deur na die uitdrukking "departement", waar dit ook al voorkom, die uitdrukking "of die komponent, na gelang van die geval," in te voeg. 9. Die wysiging van artikel 19 deur in subartikel (2) die uitdrukking "Parlement" deur die uitdrukking "betrokke Provinsiale Wetgewer" te vervang. 10. Die vervanging van artikel 20 deur die volgende artikel: "Geldelike hulp aan nasionale rade 20. (1) Die Minister kan, na oorleg met die Premier van elke provinsie en met die instemming van die Minister van Finansies, uit geld wat deur die Parlement vir dié doel bewillig is, toekennings doen aan 'n nasionale raad vir sover so 'n raad welsynsorganisasies op 'n nasionale grondslag organiseer en verteenwoordig. (2) 'n Toekenning kragtens subartikel (1) gedoen, is onderworpe aan die voorgeskrewe voorwaardes en die ander voorwaardes wat die Minister, met die instemming van die Minister van Finansies, bepaal." 11. Die invoeging van die volgende artikel voor artikel 23: "Herroeping van Wet 104 van 1987 22A. (1) Behoudens die bepalings van subartikel (2) word die Gemeenskapswelsynswet (Raad van Verteenwoordigers), 1987 (Wet No. 104 van 1987), hierby herroep. (2) Ondanks die herroeping van genoemde Wet— (a) bly 'n ooreenkoms wat kragtens artikel 14 (1) van genoemde Wet aangegaan is vir die uitvoering van 'n diensprogram en onmiddellik voor die datum van opdrag bindend tussen die betrokke partye was, voortbestaan totdat dit deur die Direkteur-generaal: Welsyn gewysig of beëindig word; (b) kan die Minister, met die instemming van die Minister van Finansies, uit geld wat deur die Parlement vir dié doel bewillig is, toekennings doen aan organisasies of takke met betrekking tot die uitvoering van so 'n diensprogram onderworpe aan die voorwaardes wat die Minister met die instemming van die Minister van Finansies bepaal; en (c) bly 'n regulasie wat kragtens artikel 21 van genoemde Wet gemaak is en onmiddellik voor die datum van opdrag van krag is, van krag totdat dit kragtens artikel 44 van die Wet op Gesondheid, 1977 (Wet No. 63 van 1977), gewysig of herroep word."

Titel, No. en jaar van wet	Mate waarin opgedra	Wysigings
3. Wet op Maatskaplike Bystand, 1992 (Wet No. 59 van 1992)	Die geheel, uitgesonderd artikel 13	1. Die wysiging van artikel 1 — (a) deur die omskrywing van “Direkteur-generaal” deur die volgende omskrywing te vervang: “ ‘Direkteur-generaal’, vir sover ’n bepaling van hierdie Wet in of met betrekking tot ’n bepaalde provinsie toegepas word, die beampte wat aan die hoof staan van die komponent wat met welsyn-aangeleenthede belas is in die provinsiale administrasie van daardie provinsie;”; (b) deur die omskrywing van “Minister” deur die volgende omskrywing te vervang: “ ‘Minister’, vir sover ’n bepaling van hierdie Wet in of met betrekking tot ’n bepaalde provinsie toegepas word, die bevoegde gesag aan wie die uitvoering van hierdie Wet kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), in daardie provinsie opgedra is;”; (c) deur na die omskrywing van “Minister” die volgende omskrywing in te voeg: “ ‘Minister van Finansies’, vir sover ’n bepaling van hierdie Wet in of met betrekking tot ’n bepaalde provinsie toegepas word, die lid van die Uitvoerende Raad van daardie provinsie verantwoordelik is vir die begroting in die provinsie;”; (d) deur die omskrywing van “nasionale raad” te skrap; (e) deur na die omskrywing van “pleegouer” die volgende omskrywings in te voeg: “ ‘provinsiale administrasie’ die provinsiale administrasie ingestel vir ’n provinsie by die Staatsdienswet, 1994 (Proklamasie No. 103 van 1994); ‘provinsie’ ’n provinsie ingestel ingevolge artikel 124 van die Grondwet van die Republiek van Suid-Afrika, 1993;”; (f) deur paragraaf (a) van die omskrywing van “Suid-Afrikaanse burger” te skrap; (g) deur paragraaf (c) van genoemde omskrywing van “Suid-Afrikaanse burger” deur die volgende paragraaf te vervang: “(c) ’n lid is van ’n groep of kategorie persone wat deur die Minister, met die instemming van die Minister van Finansies, by kennisgewing in die <i>Provinsiale Koerant</i> omskryf word;” en (h) deur die omskrywing van “welsynsorganisasie” deur die volgende omskrywing te vervang: “ ‘welsynsorganisasie’, vir sover ’n bepaling van hierdie Wet in of met betrekking tot ’n bepaalde provinsie toegepas word, ’n welsynsorganisasie wat ingevolge artikel 13 (1) van die Nasionale Welsynswet, 1978 (Wet No. 100 van 1978), geregistreer is of wat ingevolge artikel 13 (4) van daardie Wet geag word geregistreer te wees.” 2. Die wysiging van artikel 2 deur die uitdrukking “Parlement” deur die uitdrukking “betrokke Provinsiale Wetgewer” te vervang.

Titel, No. en jaar van wet	Mate waarin opgedra	Wysigings
		3. Die vervanging van artikel 5 deur die volgende artikel: "Finansiële toekennings aan welsynsorganisasies en persone 5. (1) Die Minister kan, behoudens die bepalings van hierdie Wet en met die instemming van die Minister van Finansies, uit geld wat die betrokke Provinsiale Wetgewer vir dié doel bewillig, finansiële toekennings doen aan— (a) welsynsorganisasies wat georganiseerde werksaamhede, maatreëls of maatskaplike welsynsprogramme onderneem of tref of koördineer met betrekking tot— (i) gesinsorg; (ii) bejaardesorg; (iii) bestaansbeveiliging; (iv) gestremdesorg; (v) alkohol- en dwelmafhanklikheid; en (vi) oortredersorg; (b) 'n organisasie beoog in artikel 1 van die Wet op Fondsinsameling, 1978 (Wet No. 107 van 1978), wat ingevolge sy konstitusie die versorging van verstandelik of psigiatries gestremde persone as een van sy doelstellings het. (2) Die Direkteur-generaal kan, behoudens die bepalings van hierdie Wet, aan 'n persoon 'n finansiële toekenning maak indien hy of sy oortuig is dat die persoon maatskaplike noodleniging nodig het." 4. Die wysiging van artikel 9— (a) deur subartikel (1) deur die volgende subartikel te vervang: "(1) Indien aan iemand 'n bedrag geld betaal word omdat gemeen word dat hy of sy ingevolge hierdie Wet, of 'n Wet deur hierdie Wet herroep, daarop geregtig is terwyl hy of sy inderdaad nie daarop geregtig is nie, is dié bedrag 'n bedrag wat deur so 'n persoon of, indien hy of sy oorlede is, sy of haar boedel aan die Staat verskuldig is."; en (b) deur subartikel (5) deur die volgende subartikel te vervang: "(5) Die Tesourie van die betrokke provinsie, of iemand deur daardie Tesourie daartoe gemagtig, kan na goeddunke 'n bedrag wat ingevolge hierdie artikel aan die Staat verskuldig is, geheel of gedeeltelik afskryf, indien daardie Tesourie of die gemagtigde van oordeel is dat invordering van die bedrag onekonomies sou wees of die invordering daarvan die betrokke skuldenaar of sy of haar afhanklikes oormagtige ontbering sou veroorsaak deurdat hulle die minimum bestaansbenodighede ontnem word."

Titel, No. en jaar van wet	Mate waarin opgedra	Wysigings
		5. Die wysiging van artikel 19— (a) deur in subartikel (1) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang: “Die Minister kan, na oorleg met die Minister vir Welsyn en Bevolkingsontwikkeling in die nasionale regering, regulasies uitvaardig betreffende—”; en (b) deur in subartikel (3) die uitdrukking “Parlement” deur die uitdrukking “betrokke Provinsiale Wetgewer” te vervang. 6. Die herroeping van artikel 21. 7. Die wysiging van die Bylae— (a) deur die items wat betrekking het op die Wet op Bejaarde Persone, 1967 (Wet No. 81 van 1967), die Wet op die Misbruik van Afhanklikheidsvormende Stowwe en Rehabilitasiesentrums, 1971 (Wet No. 41 van 1971), die Wet op Geestesgesondheid, 1973 (Wet No. 18 van 1973), die Nasionale Welsynswet, 1978 (Wet No. 100 van 1978), die Wet op Kindersorg, 1983 (Wet No. 74 van 1983), en die Gemeenskapswelsynswet (Raad van Verteenwoordigers), 1987 (Wet No. 104 van 1987), te skrap; (b) deur die uitdrukking wat in die derde kolom teenoor “Wet op Blindes 1968” voorkom deur die uitdrukking “Die geheel” te vervang; en (c) deur die volgende item by te voeg: “118 van 1993 . . . Wysigingswet op Gesondheids- en Welsynsaangeleenthede, 1993 . . . Artikel 16”.

DEEL 2: WYSIGING VAN ARTIKEL 22 VAN DIE WET OP MAATSKAPLIKE BYSTAND, 1992 (WET No. 59 VAN 1992)

Die wysiging van artikel 22 van die Wet op Maatskaplike Bystand, 1992, deur die uitdrukking “Staatspresident” deur die uitdrukking “President” te vervang.

DEPARTMENT OF AGRICULTURE**No. R. 287 23 February 1996**

PLANT BREEDERS' RIGHTS ACT, 1976
(ACT No. 15 OF 1976)

REGULATIONS RELATING TO PLANT BREEDERS'
RIGHTS: AMENDMENT*

The Deputy Minister of Agriculture, acting under section 44 of the Plant Breeders' Rights Act, 1976 (Act No. 15 of 1976), on behalf of the Minister of Agriculture, made the regulations in the Schedule.

* Amendments to list of plants declared in terms of the Act as well as the addition of various decorative plants to the list.

SCHEDULE**Definition**

1. In this Schedule “the Regulations” means the regulations published by Government Notice No. R. 2630 of 24 December 1980, as amended by

DEPARTEMENT VAN LANDBOU**No. R. 287 23 Februarie 1996**

WET OP PLANTTEELERSREGTE, 1976
(WET No. 15 VAN 1976)

REGULASIES BETREFFENDE PLANTTEELERS-
REGTE: WYSIGING*

Die Adjunkminister van Landbou, handelende kragtens artikel 44 van die Wet op Planttelersregte, 1976 (Wet No. 15 van 1976), namens die Minister van Landbou, het die regulasies in die Bylae uitgevaardig.

* Wysigings aan lys van plante vir die doeleindes van die Wet verklaar sowel as die toevoeging van verskeie sierplante tot die lys.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken “die Regulasies” die regulasies gepubliseer by Goewermentskennisgewing No. R. 2630 van 24 Desember 1980, soos

Government Notices Nos. R. 37 of 6 January 1984, R. 990 of 3 May 1985, R. 1588 of 1 August 1986, R. 2349 of 14 November 1986, R. 2341 of 16 October 1987, R. 1519 of 14 July 1989 (as corrected by Government Notice No. R. 1975 of 15 September 1989), R. 1640 of 13 July 1990, R. 74 of 18 January 1991, R. 989 of 10 May 1991, R. 2415 of 4 October 1991, R. 1493 of 29 May 1992, R. 1561 of 20 August 1993, R. 2039 of 29 October 1993, R. 2534 of 31 December 1993, R. 368 of 25 February 1994 (as corrected by Government Notice No. R. 492 of 18 March 1994), R. 1075 of 10 June 1994, R. 1452 of 26 August 1994, R. 831 of 9 June 1995, R. 997 of 7 July 1995 and R. 1611 of 20 October 1995.

Amendment of Table 1 of the Regulations

2. Table 1 of the Regulations is hereby amended —

- (a) by the substitution for the expression "A" where it occurs in column 2 opposite the items "*Abutilon* Mill., *Bougainvillea* Comm. ex Juss., *Brunia* Lam., *Callistemon* R. Br., *Camellia* L., *Chamelaucium* Desf., *Cordyline* Comm. ex Juss., *Cupressus* L., *Cydonia* Mill., *Euonymus* L., *Ficus* L., *Gardenia* Ellis, *Hibiscus* L., *Juniperus* L., *Lantana montevidensis* (Sprengel) Briq., *Leptospermum* J. R. Forster et G. Forster, *Nerium* L., *Pelargonium* L'Hérit, *Plumbago* L. and *Syzygium* Gaertn." of the expression "B";
- (b) by the substitution for the expression "15" where it occurs in column 3 opposite the items "*Abutilon* Mill., *Acacia podalyriifolia* A. Cunn. ex G. Don, *Bougainvillea* Comm. ex Juss., *Callistemon* R. Br., *Camellia* L., *Chamelaucium* Desf., *Cordyline* Comm. ex Juss., *Cupressus* L., *Eucalyptus gunnii* Hook. f., *Euonymus* L., *Ficus* L., *Gardenia* Ellis, *Hibiscus* L., *Juniperus* L., *Lantana montevidensis* (Sprengel) Briq., *Leptospermum* J. R. Forster et G. Forster, *Nerium* L., *Paranomus* Salisb., *Pelargonium* L'Hérit, *Plumbago* L. and *Syzygium* Gaertn." of the expression "18";
- (c) by the substitution for the expression "5" where it occurs in column 4 opposite the items "*Abutilon* Mill., *Acacia podalyriifolia* A. Cunn. ex G. Don, *Bougainvillea* Comm. ex Juss., *Callistemon* R. Br., *Camellia* L., *Chamelaucium* Desf., *Cordyline* Comm. ex Juss., *Cupressus* L., *Eucalyptus gunnii* Hook. f., *Euonymus* L., *Ficus* L., *Gardenia* Ellis, *Hibiscus* L., *Juniperus* L., *Lantana montevidensis* (Sprengel) Briq., *Leptospermum* J. R. Forster et G. Forster, *Nerium* L., *Pelargonium* L'Hérit, *Plumbago* L. and *Syzygium* Gaertn." of the expression "8";
- (d) by the substitution for the expression "18" where it occurs in column 3 opposite the item "*Panicum antidotale* Retz" of the expression "15";
- (e) by the substitution for the expression "*Anthurium* Schott." of the expression "*Anthurium* Schott";
- (f) by the substitution for the expression "*Dieffenbachia* Schott." of the expression "*Dieffenbachia* Schott";

gewysig deur Goewermentskennisgewings Nos. R. 37 van 6 Januarie 1984, R. 990 van 3 Mei 1985, R. 1588 van 1 Augustus 1986, R. 2349 van 14 November 1986, R. 2341 van 16 Oktober 1987, R. 1519 van 14 Julie 1989 (soos verbeter deur Goewermentskennisgewing No. R. 1975 van 15 September 1989), R. 1640 van 13 Julie 1990, R. 74 van 18 Januarie 1991, R. 989 van 10 Mei 1991, R. 2415 van 4 Oktober 1991, R. 1493 van 29 Mei 1992, R. 1561 van 20 Augustus 1993, R. 2039 van 29 Oktober 1993, R. 2534 van 31 Desember 1993, R. 368 van 25 Februarie 1994 (soos verbeter deur Goewermentskennisgewing No. R. 492 van 18 Maart 1994), R. 1075 van 10 Junie 1994, R. 1452 van 26 Augustus 1994, R. 831 van 9 Junie 1995, R. 997 van 7 Julie 1995 en R. 1611 van 20 Oktober 1995.

Wysiging van Tabel 1 van die Regulasies

2. Tabel 1 van die Regulasies word hierby gewysig —

- (a) deur die uitdrukking "A" waar dit in kolom 2 teenoor die items "*Abutilon* Mill., *Bougainvillea* Comm. ex Juss., *Brunia* Lam., *Callistemon* R. Br., *Camellia* L., *Chamelaucium* Desf., *Cordyline* Comm. ex Juss., *Cupressus* L., *Cydonia* Mill., *Euonymus* L., *Ficus* L., *Gardenia* Ellis, *Hibiscus* L., *Juniperus* L., *Lantana montevidensis* (Sprengel) Briq., *Leptospermum* J. R. Forster et G. Forster, *Nerium* L., *Pelargonium* L'Hérit, *Plumbago* L. en *Syzygium* Gaertn." voorkom, deur die uitdrukking "B" te vervang;
- (b) deur die uitdrukking "15" waar dit in kolom 3 teenoor die items "*Abutilon* Mill., *Acacia podalyriifolia* A. Cunn. ex G. Don, *Bougainvillea* Comm. ex Juss., *Callistemon* R. Br., *Camellia* L., *Chamelaucium* Desf., *Cordyline* Comm. ex Juss., *Cupressus* L., *Eucalyptus gunnii* Hook. f., *Euonymus* L., *Ficus* L., *Gardenia* Ellis, *Hibiscus* L., *Juniperus* L., *Lantana montevidensis* (Sprengel) Briq., *Leptospermum* J. R. Forster et G. Forster, *Nerium* L., *Paranomus* Salisb., *Pelargonium* L'Hérit, *Plumbago* L. en *Syzygium* Gaertn." voorkom, deur die uitdrukking "18" te vervang;
- (c) deur die uitdrukking "5" waar dit in kolom 4 teenoor die items "*Abutilon* Mill., *Acacia podalyriifolia* A. Cunn. ex G. Don, *Bougainvillea* Comm. ex Juss., *Callistemon* R. Br., *Camellia* L., *Chamelaucium* Desf., *Cordyline* Comm. ex Juss., *Cupressus* L., *Eucalyptus gunnii* Hook. f., *Euonymus* L., *Ficus* L., *Gardenia* Ellis, *Hibiscus* L., *Juniperus* L., *Lantana montevidensis* (Sprengel) Briq., *Leptospermum* J. R. Forster et G. Forster, *Nerium* L., *Pelargonium* L'Hérit, *Plumbago* L. en *Syzygium* Gaertn." voorkom, deur die uitdrukking "8" te vervang;
- (d) deur die uitdrukking "18" waar dit in kolom 3 teenoor die item "*Panicum antidotale* Retz" voorkom, deur die uitdrukking "15" te vervang;
- (e) deur die uitdrukking "*Anthurium* Schott." deur die uitdrukking "*Anthurium* Schott" te vervang;
- (f) deur die uitdrukking "*Dieffenbachia* Schott." deur die uitdrukking "*Dieffenbachia* Schott" te vervang;

- (g) by the substitution for the expression "*Medicago truncatula* Gaertn" of the expression "*Medicago truncatula* Gaertn.";
- (h) by the substitution for the expression "Olives/Olywe" where it occurs opposite the item "*Olea* L." of the expression "Olive/Olyf"; and
- (i) by the insertion of the entries in Annexure A in the alphabetically correct positions.

- (g) deur die uitdrukking "*Medicago truncatula* Gaertn" deur die uitdrukking "*Medicago truncatula* Gaertn." te vervang;
- (h) deur die uitdrukking "Olives/Olywe" waar dit teenoor die item "*Olea* L." voorkom, deur die uitdrukking "Olive/Olyf" te vervang; en
- (i) deur die inskrywings in Aanhangsel A in die alfabeties korrekte posisies in te voeg.

ANNEXURE A • AANHANGSEL A

"TABEL 1 • TABEL 1

KINDS OF PLANTS AND PERIODS OF RIGHTS
SOORTE PLANTE EN TERMYNE VAN REGTE

[Reg. 11; 13]

1		2	3	4
Kind of plant/Soort plant				
Botanical name Botaniese naam	Common name Gewone naam	Category Kategorie	Period of plant breeder's right (Years) Termyn van plantelersreg (Jare)	Period of sole right (Years) Termyn van alleenreg (Jare)
<i>Cyathea</i> Sm. (All/Alle spp.)	Tree fern/Boomvaring.....	B	18	8
<i>Dendranthema</i> (DC.) Desm. (All/Alle spp.)	Chrysanthemum/Krisant.....	A	15	5
<i>Grevillea</i> R.Br. (All/Alle spp.).....	Grevillea	B	18	8
<i>Nemesia</i> Vent. (All/Alle spp.)	Nemesia	A	15	5
<i>Pandorea</i> Spach (All/Alle spp.)	Pandorea.....	B	18	8
<i>Pentas</i> Benth. (All/Alle spp.)	Pentas	B	18	8
<i>Photinia</i> Lindl. (All/Alle spp.)	Photinia	B	18	8
<i>Pimelea</i> Banks et Soland. (All/Alle spp.)	Riceflower/Pimelea	B	18	8
<i>Polypodium</i> L. (All/Alle spp.)	Polypody/Polypodium.....	B	18	8
<i>Sutera</i> Roth (All/Alle spp.).....	Sutera.....	B	18	8
<i>Vinca</i> L. (All/Alle spp.)	Periwinkle/Maagdeblom	B	18	8''.

DEPARTMENT OF FINANCE
DEPARTEMENT VAN FINANSIES

No. R. 282

23 February 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/765)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
72.28			By the substitution for subheading No. 7228.10 of the following:			
	"7228.10	0	Bars and rods, of high speed steel	kg	free"	
72.29			By the substitution for subheading No. 7229.10 of the following:			
	"7229.10	4	Of high speed steel	kg	free"	

No. R. 282

23 Februarie 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/765)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

Pos	Subpos	T. S.	Artikelbeskrywing	Statis- tiese Eenheid	Skaal van Reg	Anno- tasies
72.28			Deur subpos No. 7228.10 deur die volgende te vervang:			
	"7228.10	0	Stawe en stange, van hoëspoedstaal	kg	vry"	
72.29			Deur subpos No. 7229.19 deur die volgende te vervang:			
	"7229.10	4	Van hoëspoedstaal	kg	vry"	

No. R. 283

23 February 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/319)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended, with retrospective effect to 1 January 1996, to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

I REBATE ITEM	II			III EXTENT OF REBATE	ANNO- TATIONS
	TARIFF HEADING	REBATE CODE	C. D. DESCRIPTION		
Notes			By the substitution for Note 1 of the following: "1. The imported goods specified in Column II of this Schedule shall, subject to the provisions of section 75, be admitted for use in connection with the production or manufacture of goods in the industries specified, under rebate of customs duty to the extent stated in Column III of this Schedule." By the substitution for Note 6 of the following: "6. Any provision in this Schedule for a complete article or an incomplete article which has, or is regarded as having the essential character of such complete article, assembled or unassembled, shall, as the Commissioner may determine, except where specifically otherwise specified, remain applicable even where any parts or sub-assemblies of any such article, imported by any importer, have lost the essential character of such article due to the non-importation of parts or sub-assemblies manufactured in the Republic." By the insertion after Note 6 of the following: "7. (a) The Commissioner may register a stockist as a licensee of a customs and excise warehouse approved by him or her for the storage of any goods specified in any item of this Schedule, and if so registered, such stockist may supply such goods in small quantities to persons who are registered to obtain such goods under the provisions of such item. (b) Any goods imported for storage in such warehouse shall be entered under such item and shall be stored in such a manner as the Commissioner may determine. (c) Subject to compliance with such conditions as the Commissioner may specify, such goods may be transferred by such stockist to a registrant on form DA 62.		

I REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	II DESCRIPTION	III EXTENT OF REBATE	ANNO- TIONS
				(d) Any stockist may apply to the Commissioner under the provisions of section 75(6) for permission to dispose of any goods referred to in paragraph (a) to any person other than such registrant, and if so permitted, duty shall be payable on the goods so disposed of at such times and in such manner as the Commissioner may require."		
304.01				By the substitution for rebate code 02.06 to the tariff heading No. 0202.30 of the following:		
		"02.06	69	Mechanically deboned meat of bovine animals . (excluding cuts), frozen, for the manufacture of cooked or smoked sausage and similar products and of prepared or preserved meat in airtight metal containers.	Full duty"	
Part 2				By the substitution for Note 2 to Part 2 of the following: "2. Liability for the duty on any goods allowed in terms of this Part will cease upon production of documentary evidence that such goods were exported, that proper clearance was made, or that the goods were transferred in terms of the provisions of rule 75.11." By the substitution for Note 4 to Part 2 of the following: "4. Processed or manufactured goods may not be packed and exported without official supervision unless the Controller's permission has been obtained and the registrant shall notify the Controller of his or her intention to pack and export such goods."		

No. R. 283

23 Februarie 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/319)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 1 Januarie 1996, in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

I KORTING= ITEM	II			III MATE VAN KORTING	ANNO- TASIES
	TARIEF= POS	KORTING= KODE	T. S.		
Opmerkings					
			Deur Opmerking 1 deur die volgende te vervang:		
			"1. Die ingevoerde goedere in Kolom II van hierdie Bylae vermeld, word, behoudens die bepalings van artikel 75 vir die gebruik in verband met die produksie of vervaardiging van goedere in die nywerhede vermeld, met korting op doeanereg in die mate in Kolom III van hierdie Bylae aangedui, toegelaat."		
			Deur Opmerking 6 deur die volgende te vervang:		
			"6. Enige voorsiening in hierdie Bylae vir 'n volledige artikel of 'n onvolledige artikel wat die wesenlike kenmerke van sodanige volledige artikel het, of wat geag word hierdie kenmerke te hê, gemonteer of ongemonteer, bly, na gelang die Kommissaris bepaal, behalwe waar uitdruklik anders bepaal word, van toepassing selfs waar onderdele en submontasies van enige sodanige artikel, deur enige invoerder ingevoer, die wesenlike kenmerke van sodanige artikel verloor het as gevolg van die nie-invoer van onderdele of submontasies in die Republiek vervaardig."		
			Deur na Opmerking 6 die volgende in te voeg:		
			"7. (a) Die Kommissaris kan 'n voorraadhouer as 'n lisensiehouer van 'n doeane- en aksynspakhuis deur hom of haar goedgekeur vir die opslag van enige goedere vermeld in enige item van hierdie Bylae registreer en indien so geregistreer, kan sodanige voorraadhouer sodanige goedere in klein hoeveelhede aan persone wat geregistreer is om sodanige goedere onder die bepalings van sodanige item te verkry, verskaf.		
			(b) Enige goedere ingevoer vir opslag in sodanige pakhuis moet onder sodanige item geklaar word en moet opgeslaan word op die wyse wat die Kommissaris bepaal.		

I	II	III	IV
KORTING= ITEM	TARIEF= POS KORTING= KODE T. S.	BESKRYWING	MATE VAN KORTING ANNOTA= SIES
		(c) Onderhewig aan die nakoming van die voorwaardes wat die Kommissaris bepaal, kan sodanige goedere deur sodanige voorraadhouer op 'n vorm DA 62 na 'n geregistreerde oorgeplaas word. (d) Enige voorraadhouer kan ingevolge die bepalings van artikel 75(6) by die Kommissaris aansoek doen vir toestemming om enige goedere in paragraaf (a) vermeld aan enige persoon anders as sodanige geregistreerde te vervreem en indien aldus toegelaat, is die reg op die goedere sodanig vervreem, op die tye en op die wyse wat die Kommissaris verlang, betaalbaar."	
304.01	"02.06 69	Deur kortingskode 02.06 by pos No. 0202.30 deur die volgende te vervang: Meganies ontbeende vleis van beesrasdiere (uitgesonderd snitte), bevrore, vir die vervaardiging van gekookte of gerookte wors en dergelyke produkte en van bereide of gepreserveerde vleis in lugdigte metaalhouers	Volle reg"
Deel 2		Deur Opmerking 2 by Deel 2 deur die volgende te vervang: "2. Aanspreeklikheid vir die reg op enige goedere kragtens hierdie Deel toegelaat sal eindig by voorlegging van dokumentêre bewys dat sodanige goedere uitgevoer is, dat behoorlike klaring daarvan gemaak is, of dat dit oorgedra is ooreenkomstig die bepalings van reël 75.11." Deur Opmerking 4 by Deel 2 deur die volgende te vervang: "4. Behalwe met die toestemming van die Kontroleur mag geen verpakking en uitvoer van verwerkte of vervaardigde goedere sonder amptelike toesig plaasvind nie en die kennisgewing wat die Kontroleur verlang van besonderhede van enige voorgename verpakking en uitvoer moet aan hom of haar gegee word."	

No. R. 284

23 February 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 4 (No. 4/188)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 4 to the said Act is hereby amended, with retrospective effect to 1 January 1996, to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

I REBATE ITEM	II				III EXTENT OF REBATE	ANNOTATIONS
	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION		
Notes				By the substitution for Note 1 of the following: "1. The goods specified in Column II of this Schedule shall, subject to the provisions of Section 75, be admitted under rebate of the ordinary customs duty specified in Parts 1 and 2 and the fuel levy in Part 5 of Schedule No. 1 in respect of such goods at the time of entry for home consumption thereof, to the extent stated in Column III of this Schedule in respect of those goods."		
405.05	"85.19	01.00	43	By the substitution for tariff heading 85.19 of the following: Apparatus, capable of sound reproduction only, manually operated, whether or not also suitable for use with batteries, entered for use by a religious body for religious instruction	Not exceeding the duty in Section B of Part 2 of Schedule No. 1"	
407.00				By the substitution for Note 7 of the following: "7. If a person contravenes any provision of this Act or any other law relating to the importation of goods, the Commissioner may refuse to grant any rebate of duty provided for in rebate item 407.02." By the insertion after Note 10 of the following: "11. Any entry under rebate item 407.04 shall be supported by a duly completed form DA 304 A. 12. Any entry under rebate item 407.06 shall be supported by a duly completed form DA 304 and P1.160."		

I REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE	ANNO- TIONS
407.04				By the substitution for rebate item 407.04 of the following:	(a) In respect of a motor vehicle described in para-graph (i)	
"407.04	87.00	01.00	25	Motor vehicles imported by natural persons on change of permanent residence:	(a) in Column II: Full duty less the duty in Section A of Part 2 of Schedule No. 1; or	
				One motor vehicle per family, imported by a natural person for his or her personal or own use, who permanently changes his or her residence to the Republic and -	(b) In re-spect of a	
				(i) provided the vehicle so imported is the personal property of the importer and has personally been owned and used by him or her -	hicle des-cribed in paragraph (i)(b) in Column II: Full duty less the duty in Section A of Part 2 of Sche-dule No. 1 and less the duty calculated <u>pro rata</u> on a daily basis ac-cording to the number of days less than 12 months; or	
				(a) for a period of not less than 12 months prior to his or her departure to the Republic; or	(c) In re-spect of a motor ve-hicle des-cribed in paragraph (ii) in Column II: Full duty less the duty in Section A of Part 2 of Schedu-le No. 1"	
				(b) for a period of less than 12 months prior to his or her departure to the Republic; or		
				(ii) in the case of approved intended residents arriving from an African country, is owned and used for such shorter period as the Commissioner may in exceptional cir-cumstances decide; and		
				(iii) provided the vehicle is not offered, ad-vertised, lent, hired, leased, pledged, given away, exchanged, sold or otherwise disposed of within a period of 20 months from the date of entry		

I REBATE ITEM	II			DESCRIPTION	III EXTENT OF REBATE	ANNOTATIONS
	TARIFF HEADING	REBATE CODE	C. D.			
407.06				By the substitution for rebate item 407.06 of the following:		
"407.06	00.00	01.00	05	Household furniture, other household effects and other removable articles, including equipment necessary for the exercise of the calling, trade or profession of the person, other than industrial, commercial or agricultural plant and excluding motor vehicles, alcoholic beverages and tobacco goods, the bona fide property of a natural person (including a returning resident of the Republic after an absence of 6 months or more) and members of his or her family, imported for own use on change of his or her residence to the Republic: Provided these goods are not disposed of within a period of 6 months from the date of entry	Full duty"	
409.00				By the substitution for the notes to rebate item 409.00 of the following: "NOTES: 1. In respect of goods entered in terms of rebate item 409.01 the importer shall at the time of entry of the goods upon re-importation attach to the relative bill of entry a statement indicating - (a) the reasons why the goods are being returned; (b) whether any change in the ownership of the goods has taken place; (c) whether the goods have been subjected to any process of manufacture or manipulation since their exportation from the Republic and if so, to what extent; (d) whether the goods were manufactured in a customs and excise warehouse and exported in bond ex such warehouse; (e) whether at the time of export, or at any other time, any refund, rebate, drawback or remission of customs or excise duty was granted in respect of such goods or any materials from which such goods were manufactured; (f) the number and date of the bill of entry relating to the export of such goods and the place where such entry was made or the document on which the goods were registered prior to export of such goods for the purposes of the subsequent re-importation thereof; (g) the place where and the number and date of the bill of entry on which duty was paid on the goods upon their first importation into the Republic or other documents, if applicable, to prove that the goods were previously imported and the duty due was paid thereon; and (h) whether any bounty, subsidy or any benefit under an export incentive scheme was paid on the goods exported.		

I REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	II DESCRIPTION	III EXTENT OF REBATE	IV ANNOTATIONS
				2. Admission of the following goods under this item shall be subject to a permit for re-importation issued by the Director-General: Agricultural Economics and Marketing: Butter, cheese, maize and maize products, sugar, wine, brandy and spirituous beverages. 3. Admission under this item of goods in respect of which any bounty or subsidy was paid on exportation shall be subject to production of evidence of repayment to the department or institution which paid such bounty or subsidy under any export incentive scheme on exportation of an equal amount. 4. Excisable goods exported ex a customs and excise warehouse shall only be admitted under rebate of duty under this item, provided - (a) the prior approval of the Commissioner is obtained; (b) they are entered under rebate item 409.06; (c) they are taken into the stock of any customs and excise warehouse unless the Commissioner otherwise stipulates; and (d) the rate of excise duty in force at the time of entry for home consumption from such warehouse, is paid thereon. 5. Admission under this item shall, except in the case of rebate item 409.07, only be permitted provided the goods can be identified as being the same goods which were exported. 6. The provisions of Notes 1 and 5 shall <u>mutatis mutandis</u> apply to any goods entered under rebate items 409.02, 409.04, 409.05 and 409.07. 7. For the purposes of rebate item 409.07 - (a) 'compensating products' means the products obtained abroad during or as a result of the manufacturing, processing or repair of the goods temporarily exported for outward processing; and (b) 'temporarily exported for outward processing' means the customs procedure whereby goods which may be disposed of without customs restriction, are temporarily exported for manufacturing, processing or repair abroad and then re-imported."		

I REBATE ITEM	II			III EXTENT OF REBATE	ANNOTATIONS
	TARIFF HEADING	REBATE CODE	C. D.		
410.00					By the insertion after the heading to rebate item 410.00 of the following: "NOTE: 1. Admission under rebate of duty of any goods specified in rebate item 410.03/00.00/01.00 shall be subject to the provisions of rules 75.01 to 75.17."
411.00					By the substitution for heading No. 49.11 of the following: "49.11 01.00 44 Photographs, commonly known as press or news photographs, for reproduction in newspapers and publications registered with the Department of Posts and Telecommunications as newspapers By the substitution for heading No. 84.13 of the following: "84.13 01.00 45 Pumps for the drawing off of beer in such quantities as the Director-General: Trade and Industry may allow by specific permit By the substitution for rebate code 02.00 to heading No. 85.01 of the following: "02.00 40 Electric motors, direct current, used for the manufacture of draglines By the substitution for heading No. 85.02 of the following: 85.02 01.00 42 Generator sets rated at 5 000 kVA or less, driven by electric motors, used for the manufacture of draglines
412.00					By the insertion after the heading to rebate item 412.00 of the following: "NOTES: 1. For the purposes of rebate items 412.03 and 412.04, the bill of entry shall be supported by an inventory of the goods and documentary proof that the said goods qualify for admission under the items concerned. 2. For the purposes of rebate item 412.07 - (a) any offer to abandon or application to destroy any goods shall be in writing by or on behalf of the owner thereof, and shall - (i) include the bill of entry, the invoices and other documents relating to the importation of the goods; (ii) state the identifying particulars of the goods; (iii) state the reason for abandonment, or if application is made for destruction the reason why destruction and not abandonment is requested; and (iv) indemnify the Office against any claim by any other person.

I REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	II DESCRIPTION	III EXTENT OF REBATE	IV ANNO- TATIONS
				(b) the owner shall be responsible for the cost of storage in and removal to the State warehouse or any place of security indicated by the Commissioner, if such storage or removal is required by the Commissioner, and for any other expenses, including the cost of destruction; (c) goods shall be destroyed under the supervision of an officer; and (d) goods in respect of which security of the duty due has been furnished to the Office shall be deemed to be under the control of the Office."		
412.01				By the substitution for rebate item 412.01 of the following:		
"412.01	00.00	01.00	06	Goods (excluding corn or grain seed), for purposes of experimenting therewith as the department controlling or supervising such experimenting may allow by specific permit	Full duty less the duty in Section B of Part 2 of Schedule No. 1"	
412.07				By the substitution for the preamble to rebate item 412.07 of the following: "Goods unconditionally abandoned to the Office by the owner or goods destroyed with the permission of the Commissioner: Provided that the Commissioner may decline to accept abandonment or grant permission for destruction:"		
412.08 and 412.09				By the substitution for rebate items 412.08 and 412.09 of the following:		
"412.08	00.00	01.00	09	Dutiable goods lost in manufacturing processes in a customs and excise warehouse, subject to production of proof that such goods did not enter into consumption	Full duty	
412.09	00.00	01.00	00	Goods in respect of which the customs duty, together with the fuel levy where applicable, amounts to not less than R2 500, proved to have been lost, destroyed or damaged on any single occasion in circumstances of <u>vis major</u> or in such other circumstances as the Commissioner deems exceptional while such goods are -	Full duty"	
				(a) in any customs and excise warehouse or in any appointed transit shed or under the control of the Office; (b) being removed with deferment of payment of duty or under rebate of duty from a place in the Republic to any other place in terms of the provisions of this Act; or (c) being stored in any rebate storeroom, provided - (i) no compensation in respect of the customs duty or fuel levy on such goods has been paid or is due to the owner by any other person;		

I REBATE ITEM	II				III EXTENT OF REBATE	ANNOTATIONS
	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION		
412.16				(ii) such loss, destruction or damage was not due to any negligence or fraud on the part of the person liable for the duty; and (iii) such goods did not enter into consumption		
"412.16	00.00	01.00	03	By the substitution for rebate item 412.16 of the following: Goods of any description imported by refugees from African Territories and which are sold by the Office	Full duty"	
412.19				By the substitution for rebate item 412.19 of the following:		
"412.19	85.18	01.04	46	Microphones and loudspeakers, not mounted in housings or cabinets, for the manufacture of telephones, portable radiotelephones, television receiving sets and sound recording or reproducing apparatus	Not exceeding the duty in Section B of part 2 of Schedule No. 1"	
412.21				By the substitution for rebate item 412.21 of the following:		
"412.21	00.00	01.00	02	Machinery and mechanical appliances and electrical machinery and equipment of Chapters 84 and 85 of Schedule No. 1, which are imported in more than one consignment as a result of strikes, shutouts or other causes beyond the control of the importer and the supplier, subject to the prior approval of the Commissioner	Not exceeding the duty in excess of the amount of duty that would have been due had the goods been imported in a single consignment"	
460.14				By the substitution for rebate item 460.14 of the following:		
"460.14	7117.19	01.06	62	Bracelets and pendants, of stainless steel, incorporating a plate engraved with medical insignia for engraving with medical particulars of an individual, in such quantities and at such times as the Director-General: Trade and Industry, on the recommendation of the Board on Tariffs and Trade, may allow by specific permit	Full duty"	
460.16				By the substitution for rebate code 02.02 to heading No. 85.00 of the following:		
		"02.02	26	Parts for radar apparatus and radio navigational aid apparatus, used for nautical and aeronautical purposes	Full duty"	

I REBATE ITEM	II			III EXTENT OF REBATE	IV ANNO- TATIONS
	TARIFF HEADING	REBATE CODE	C. D.		
460.17	"87.00	01.02	20	Full duty"	
					By the substitution for tariff heading 87.00 of the following: One motor vehicle or one motor cycle, with or without a side-car, specially designed or adapted for use by a physically handicapped person, subject to a permit issued by the Director-General: Trade and Industry after the South African National Council for the Physically Disabled in South Africa certifies that such vehicle or motor cycle is adapted or will be adapted according to the needs of a handicapped person and that the vehicle or motor cycle is exclusively for use by such handicapped person and that similar vehicles are not ordinarily nor satisfactorily made in the Republic: (i) Provided such vehicle or motor cycle is not offered, advertised, lent, hired, leased, pledged, given away, exchanged, sold or otherwise disposed of without the prior consent of the Director-General: Trade and Industry within a period of 3 years from the date of entry under this rebate item: Provided that any one of the foregoing acts with such vehicle or motor cycle within a period of 3 years from the date of entry in terms of this rebate item shall render such vehicle or motor cycle liable to the payment of duty; and (ii) a rebate of duty in terms of this rebate item shall be allowed only once per person during a period of 3 years or such shorter period as the Director-General: Trade and Industry may in exceptional circumstances decide.
460.23					By the substitution for the Note to rebate item 460.23 of the following: "NOTE: For the purposes of paragraph (ii), the person entering such goods under rebate of duty shall be liable for the duty rebated unless he or she proves that such goods have been so supplied or used in the manufacture of the equipment, installation or device which has been delivered to the person referred to in paragraph (2)"
470.00					By the insertion after the heading to rebate item 470.00 of the following: "NOTES: 1. Temporary admission of any goods under rebate item 470.00 shall be subject, <u>mutatis mutandis</u>, to the provisions of the rules for section 75. 2. The Commissioner may require the importer to register with him or her a rate of yield of the processed or manufactured goods that will be obtained per unit of the imported goods.

I REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	II DESCRIPTION	III EXTENT OF REBATE	IV ANNO- TATIONS
480.00				3. (a) Goods admitted under the provisions of rebate item 470.01 or 470.03 shall be used for the processing or manufacture of goods for export and the processed or manufactured goods shall be exported within 12 months from the date of entry thereof. (b) Parts admitted under the provisions of rebate item 470.02 shall be used and the goods submitted for repair, cleaning or reconditioning shall be exported within 6 months from the date of entry thereof: Provided that the Commissioner may, in circumstances which he deems exceptional, extend the period specified in each case for a further period he or she deems reasonable: Provided further that application for such extension is made prior to the expiry of the period of 12 months or 6 months, as the case may be. 4. Liability for duty on any goods specified in rebate items 470.01, 470.02 or 470.03 shall cease on production of proof that the goods imported have been used for repair, cleaning, reconditioning, processing or manufacture and the goods repaired, cleaned, reconditioned, processed or manufactured have been duly exported." By the insertion after the heading to rebate item 480.00 of the following: "NOTES: 1. Unless otherwise specified in these notes, goods imported under this item shall on importation be entered on form DA 500 and on re-exportation on form DA 550 or on such other form as may be specified by the Commissioner. 2. Where articles cannot readily be identified by foreign seals, by marks, by numbers or other identification permanently fixed to them, by description, by photographs or by sampling, customs and excise marks or seals may be fixed to them. 3. For the purposes of rebate item 480.20 welfare material landed from a ship for temporary use ashore by the crew for a period not exceeding that ship's stay in port shall not be subject to entry on form DA 500 or DA 550 as specified in Note 1. 4. International carnets for the temporary admission of goods referred to in section 38 shall be accepted in lieu of import and export documents and as security for any duty in respect of rebate items 480.10, 480.15 and 480.35.		

I REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	II DESCRIPTION	III EXTENT OF REBATE	ANNO- TIONS
				5. For the purposes of rebate item 480.35 - (a) samples may be imported by - (i) commercial travellers and other representatives of firms abroad who visit the Republic temporarily with their samples for the purpose of securing orders; (ii) persons or firms established in the Republic, including agents for foreign firms, to whom samples may be sent by firms abroad, free of charge, for the same purpose; and (iii) a prospective customer in the Republic to whom a sample is sent on free loan for inspection and demonstration with a view to obtaining an order for similar goods; (b) except with the permission of the Commissioner only one sample of each description, range, type or colour of an article shall be allowed temporary admission; and (c) each sample shall be an article representative of a particular category of goods already produced or to be produced abroad, imported solely for the purpose of being shown or demonstrated free of charge to prospective customers. 6. On re-exportation of the goods concerned - (a) such goods may be re-exported through any customs and excise office through which goods may be exported and may be made in more than one consignment; and (b) the documents produced at the time of entry shall be produced to the Controller and the goods shall be re-exported under the supervision of an officer, if so required by the Controller. 7. Except in respect of goods in Note 3, goods shall be re-exported - (a) in the case of goods under an international carnet, within the period of validity of such carnet; and (b) in the case of other goods, within 6 months from the date of entry thereof or within such further period as the Commissioner may, in exceptional circumstances, allow. 8. The liability of the importer shall cease if he proves that the goods have been duly re-exported or if the goods have been exported under the supervision of an officer.		

I REBATE ITEM	II				III	
	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE	ANNO- TIONS
490.00				9. (a) On request by the importer, and subject to the permission of the Commissioner, temporary admission may be terminated by entering the goods for home consumption or by abandonment or destruction of the goods. (b) The provisions of rebate item 412.07 shall apply, <i>mutatis mutandis</i>, to the abandonment or destruction of the goods concerned." By the insertion after the heading to rebate item 490.00 of the following: "NOTES: 1. Temporary admission of any goods under rebate item 490.00 shall, except as may be provided for in any other note under this item, be subject, <i>mutatis mutandis</i>, to the provisions of Notes 1, 2, 6, 7, 8 and 9 to rebate item 480.00. 2. For the purposes of rebate item 490.35 - (a) pallets temporarily imported by a pallet operator either laden or for loading with cargo for export, shall on application by the pallet operator, if the Commissioner approves, be admitted without production of customs and excise documents either at importation or at re-exportation and without the furnishing of security; (b) the pallet operator shall keep records of pallets temporarily admitted and shall supply, as the Commissioner may require, detailed information regarding the movement of each pallet granted temporary admission, including the dates and places of entry into and exit from the Republic."		
495.00				By the substitution for rebate item 495.00 of the following:		
"495.00	00.00	01.00	00	Goods in respect of which the fuel levy, together with the customs duty, where applicable, amounts to not less than R2 500, proved to have been lost, destroyed or damaged on any single occasion in circumstances of <i>vis major</i> or in such other circumstances as the Commissioner deems exceptional while such goods are - (a) in any customs and excise warehouse or in any appointed transit shed or under the control of the Office; (b) being removed with deferment of payment of duty or under rebate of duty from a place in the Republic to any other place in terms of the provisions of this Act; or	Full fuel levy"	

I REBATE ITEM	II			III EXTENT OF REBATE	IV ANNOTA- TIONS
	TARIFF HEADING	REBATE CODE	DESCRIPTION		
			(c) being stored in any rebate storeroom, provided - (i) no compensation in respect of the fuel levy or customs duty on such goods has been paid or is due to the owner by any other person; (ii) such loss, destruction or damage was not due to any negligence or fraud on the part of the person liable for the duty; and (iii) such goods did not enter into consumption		

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			Temporary admission of any goods under rebate from 480.00 shall except as may be provided for in any other note under this item, be subject to the provisions of the provisions of Notes 1, 2, 3, 4, 5, 6, 7, 8 and 9 to rebate item 480.00. For the purposes of rebate item 480.00 - (a) fuel or temporarily imported by a pallet operator either laden or for loading with cargo for export, shall on application by the pallet operator, be admitted without production of customs and excise documents either at importation or at re-exportation and without the furnishing of security; (b) the pallet operator shall keep records of pallets temporarily admitted and shall supply as the Commissioner may require, detailed information regarding the movement of each pallet granted temporary admission, including the date and place of entry into and exit from the Republic. By the substitution for rebate item 480.00 of the following: Goods in respect of which the fuel levy, together with the customs duty, where applicable, amounts to not less than RS 500, provided to have been lost, destroyed or damaged on any single occasion in circumstances of a major or in such other circumstances as the Commissioner deems exceptional while such goods are - (a) in any customs and excise warehouse or in any bonded transit shed or under the control of the Office; (b) being removed with deferral of payment of duty or under rebate of duty from a place in the Republic to any other place in terms of the provisions of this Act;	00.00	00.00
			Full fuel	00.00	00.00

No. R. 284

23 Februarie 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 4 (No. 4/188)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 4 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 1 Januarie 1996, in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

I KORTING= ITEM	II			III MATE VAN KORTING	ANNO- TASIES
	TARIEF= POS	KORTING= KODE	T. S.		
Opmerkings					
					Deur Opmerking 1 deur die volgende te vervang:
					"1. Die goedere in Kolom II van hierdie Bylae vermeld word, behoudens die bepalings van artikel 75, met korting op die gewone doeanereg in Deel 1 en 2 en die brandstofheffing in Deel 5 van Bylae No. 1 ten opsigte van sodanige goedere ten tyde van klaring vir binnelandse verbruik daarvan vermeld, toegelaat tot die mate in Kolom III van hierdie Bylae ten opsigte van daardie goedere aangetoon."
405.05					Deur pos No. 85.19 deur die volgende te vervang:
	"85.19	01.00	43		Apparate, geskik slegs vir klankweergewing, handaangedrewe, hetsy ook geskik vir gebruik met batterye al dan nie, geklaar vir gebruik deur 'n godsdienstige liggaam vir godsdienstige onderrig
407.00					Deur Opmerking 7 deur die volgende te vervang:
					"7. Indien 'n persoon 'n bepaling van hierdie Wet of van enige ander wet, wat betrekking het op die invoer van goedere, oortree, kan die Kommissaris weier om enige korting op reg waarvoor in kortingitem 407.02 voorsien is, toe te staan."
					Deur na Opmerking 10 die volgende in te voeg:
					"11. Enige klaring onder kortingitem 407.04 moet deur 'n behoorlik voltooide vorm DA 304 A gesteun word.
					12. Enige klaring onder kortingitem 407.06 moet deur 'n behoorlik voltooide vorm DA 304 en P1.160 gesteun word."

Hoogstens die reg in Afdeling B van Deel 2 van Bylae No. 1"

I KORTING= ITEM	TARIEF= POS	KORTING= KODE	T. S.	BESKRYWING	MATE VAN KORTING	ANNOA= SIES
407.04				Deur kortingitem 407.04 deur die volgende te vervang:		
"407.04	87.00	01.00	25	Motorvoertuie ingevoer deur natuurlike persone by verandering van permanente verblyf: Een motorvoertuig per familie, ingevoer deur 'n natuurlike persoon vir sy of haar persoonlike of eie gebruik, wat permanent van verblyf verander na die Republiek en - (i) mits die voertuig aldus ingevoer die persoonlike eiendom van die invoerder en persoonlik deur hom of haar besit en gebruik is - (a) vir 'n tydperk van minstens 12 maande voor sy of haar vertrek na die Republiek; of (b) vir 'n tydperk van minder as 12 maande voor sy of haar vertrek na die Republiek; of (ii) in die geval van goedgekeurde voornemende inwoners wat van 'n Afrika-land arriveer, besit en gebruik is vir sodanige korter tydperk soos die Kommissaris in buitengewone omstandighede kan besluit; en (iii) mits die voertuig nie binne 'n tydperk van 20 maande na die datum van klaring aangebied, geadverteer, geleen, verhuur, verpag, verpand, weggegee, verruil, verkoop of andersins vervreem word nie	(a) Ten opsigte van 'n motorvoertuig beskryf in paragraaf (i)(a) in Kolom II: Volle reg min die reg in Afdeling A van Deel 2 van Bylae No. 1; of (b) Ten opsigte van 'n motorvoertuig beskryf in paragraaf (i)(b) in Kolom II: Volle reg min die reg in Afdeling A van Deel 2 van Bylae No. 1 en min die reg <u>pro rata</u> bereken op 'n daaglikse basis ooreenkomstig die getal dae minder as 12 maande; of (c) Ten opsigte van 'n motorvoertuig beskryf in paragraaf (ii) in Kolom II: Volle reg min die reg in Afdeling A van Deel 2 van Bylae No. 1"	

I KORTING= ITEM	TARIEF= POS	KORTING= KODE	T. S.	II BESKRYWING	III MATE VAN KORTING	IV ANNO- TASIES
407.06				Deur kortingitem 407.06 deur die volgende te vervang:		
"407.06	00.00	01.00	05	Huisraad, ander huishoudelike goedere en ander verplaasbare artikels, met inbegrip van toerusting nodig vir die uitoefening van die roeping, ambag of beroep van die persoon, maar nie industriële, kommersiële of landboutoerusting nie en uitgesonderd motorvoertuie, alkoholiese drank en tabakware, die <u>bona fide</u> eiendom van 'n natuurlike persoon (met inbegrip van 'n terugkerende inwoner van die Republiek), na 'n afwesigheid van minstens 6 maande en lede van sy of haar familie, ingevoer vir eie gebruik by verandering van sy of haar woonplek na die Republiek: Met dien verstande dat hierdie goedere nie binne 'n tydperk van 6 maande vanaf die datum van klaring daarvan vervreem word nie	Volle reg"	
409.00				Deur die opmerkings by kortingitem 409.00 deur die volgende te vervang: "OPMERKINGS: 1. Ten opsigte van goedere kragtens kortingitem 409.01 geklaar, moet die invoerder ten tyde van klaring van die goedere by herinvoer 'n verklaring aan die betrokke klaringsbrief heg waarin aangetoon word - (a) die redes waarom die goedere teruggestuur word; (b) of enige verandering in die eiendomsreg van die goedere plaasgevind het; (c) of die goedere enige vervaardigings- of bewerkingsproses sedert hul uitvoer uit die Republiek ondergaan het en indien wel, in watter mate; (d) of die goedere in 'n doeane-en-aksynspakhuis vervaardig is en onder waarborg uit sodanige pakhuis uitgevoer is; (e) of daar ten tyde van uitvoer of op enige ander tyd enige terugbetaling, korting, teruggawe of kwytskelding van doeane- en aksynsreg toegestaan is ten opsigte van sodanige goedere of enige stowwe waarvan sodanige goedere vervaardig is; (f) die nommer en datum van die klaringsbrief met betrekking tot die uitvoer van sodanige goedere en die plek waar sodanige klaring gedoen is of die dokument waarop die goedere voor uitvoer daarvan vir doeleindes van latere herinvoer daarvan geregistreer is; (g) die plek waar en die nommer en datum van die klaringsbrief waarop reg op die goedere ten tyde van hul eerste invoer in die Republiek betaal is of ander dokumente, indien van toepassing, om te bewys dat die goedere voorheen ingevoer en die verskuldigde reg daarop betaal is; en		

I KORTING= ITEM	TARIEF= POS	KORTING= KODE	T. S.	II BESKRYWING	III MATE VAN KORTING	ANNO- TASIES
				(h) of enige premie, subsidie of enige voordeel onder 'n uitvoeraanspooring=skema op die uitgevoerde goedere betaal is. 2. Toelating van die volgende goedere onder hierdie item is onderhewig aan 'n permit vir herinvoer wat deur die Direkteur-generaal: Landbou-ekonomie en -bemarking uitgereik word: Botter, kaas, mielies en mielieprodukte, suiker, wyn, brandewyn en spiritusdranke. 3. Toelating onder hierdie item van goedere ten opsigte waarvan enige premie of subsidie betaal was by uitvoer, is onderhewig aan die voorlegging van bewyse van terugbetaling van 'n gelykstaande bedrag aan die departement of inrigting wat sodanige premie of subsidie by uitvoer betaal het. 4. Synsbare goedere wat uit 'n doeane-en-aksynspakhuis uitgevoer word, sal slegs met korting op reg by hierdie item toegelaat word mits - (a) die voorafgaande goedkeuring van die Kommissaris verkry word; (b) dit by kortingitem 409.06 geklaar word; (c) dit in die voorraad van enige doeane-en-aksynspakhuis opgeneem word tensy die Kommissaris andersins bepaal; en (d) die skaal van aksynsreg van toepassing by klaring vir binnelandse verbruik uit sodanige pakhuis, daarop betaal word. 5. Toelating onder hierdie item sal, behalwe in die geval van kortingitem 409.07, slegs toegestaan word mits die goedere geïdentifiseer kan word as dieselfde goedere wat uitgevoer is. 6. Die bepalinge van Opmerkings 1 en 5 is <u>mutatis mutandis</u> van toepassing op enige goedere ingevolge kortingitems 409.02, 409.04, 409.05 en 409.07 geklaar. 7. By die toepassing van kortingitem 409.07 - (a) "kompenserende produkte" beteken die produkte in die buiteland verkry gedurende of as gevolg van die vervaardiging, prosessering op reparasie van die goedere tydelik uitgevoer vir buitewaartse prosessering; en (b) "tydelik uitgevoer vir buitewaartse prosessering" beteken die doeane-prosedure waarvolgens goedere wat sonder doeanebeperking van die hand gesit mag word, tydelik uitgevoer word vir vervaardiging, prosessering of reparasie in die buiteland en daarna heringevoer word."		

I	II				III	IV
KORTING= ITEM	TARIEF= POS	KORTING= KODE	T. S.	BESKRYWING	MATE VAN KORTING	ANNOTASIES
410.00				Deur na die opskrif by kortingitem 410.00 die volgende in te voeg: "OPMERKING: 1. Toelating van enige goedere vermeld in kortingitem 410.03/00.00/01.00 met korting op reg is onderworpe aan die bepalings van reëls 75.01 tot 75.17."		
411.00	"49.11	01.00	44	Deur pos No. 49.11 deur die volgende te vervang: Foto's, gewoonlik pers- of nuusfoto's genoem, vir afdruk in nuusblaaie en publikasies wat by die Departement van Pos- en Telekommunikasiewese as nuusblaaie geregistreer is	Volle reg"	
	"84.13	01.00	45	Deur pos No. 84.13 deur die volgende te vervang: Pompe vir die afvoer van bier, in die hoeveelheid wat die Direkteur-generaal: Handel en Nywerheid by bepaalde permit toelaat	Volle reg	
		"02.00	40	Deur kortingkode 02.00 by pos No. 85.01 deur die volgende te vervang: Elektriese motore, gelykstroom, gebruik vir die vervaardiging van sleepgrawe	Volle reg	
	85.02	01.00	42	Deur pos No. 85.02 deur die volgende te vervang: Generatorstelle met 'n berekende vermoë van hoogstens 5 000 kVA aangedryf deur elektriese motore, gebruik vir die vervaardiging van sleepgrawe	Volle reg"	
412.00				Deur na die opskrif by kortingitem 412.00 die volgende in te voeg: "OPMERKINGS: 1. Vir die doeleindes van kortingitems 412.03 en 412.04 moet die klaringsbrief gesteun word deur 'n inventaris van die goedere en dokumentêre bewys dat die gemelde goedere vir toelating onder die betrokke items kwalifiseer. 2. Vir die doeleindes van kortingitem 412.07 - (a) moet enige aanbod om enige goedere prys te gee of aansoek om enige goedere te vernietig op skrif deur of namens die eienaar daarvan wees, en (i) die klaringsbrief, fakture en ander dokumente met betrekking tot die invoer van die goedere insluit; (ii) die volle identifikasiebesonderhede van die goedere verstrek; (iii) die rede vir prysgawe of, indien aansoek om vernietiging gedoen word, die rede waarom vernietiging en nie prysgawe nie versoek is, verstrek word; en (iv) die Kantoor teen enige eis deur enige ander persoon vrywaar;		

I	KORTING=	TARIEF=	KORTING=	T.	II	III	IV
ITEM	POS	KODE	S.		BESKRYWING	MATE VAN KORTING	ANNO-TASIES
					(b) is die eienaar verantwoordelik vir die koste van opslag in en verwydering na die Staatspakhuis of enige bewaringsplek deur die Kommissaris aangewys, indien sodanige opslag of verwydering deur die Kommissaris verlang word, en vir enige ander koste insluitende die koste van vernietiging; (c) moet goedere onder die toesig van 'n beampte vernietig word; en (d) word goedere ten opsigte waarvan sekerheid vir die verskuldigde reg aan die Kantoor verskaf is, geag onder die Kantoor se beheer te wees."		
412.01					Deur kortingitem 412.01 deur die volgende te vervang:		
"412.01	00.00	01.00	06		Goedere (uitgesonderd koring- of graansaad), vir die doeleindes van proefneming daarmee na gelang die departement wat sodanige proefneming beheer of daarvoor toesig hou by bepaalde permit mag toelaat	Volle reg min die reg in Afdeling B van Deel 2 van Bylae No. 1"	
412.07					Deur die aanhef by kortingitem 412.07 deur die volgende te vervang: "Goedere wat onvoorwaardelik aan die Kantoor prysgegee word deur die eienaar of goedere wat met die toestemming van die Kommissaris vernietig word: Met dien verstande dat die Kommissaris kan weier om prysgawe te aanvaar of om toestemming vir vernietiging te verleen:"		
412.08 en 412.09					Deur kortingitems 412.08 en 412.09 deur die volgende te vervang:		
"412.08	00.00	01.00	09		Belasbare goedere wat tydens vervaardigings= prosesse in 'n doeane-en-aksynspakhuis verlore gaan, onderworpe aan voorlegging van bewyse dat sodanige goedere nie in verbruik gegaan het nie	Volle reg	
412.09	00.00	01.00	00		Goedere ten opsigte waarvan die doeanereg tesame met die brandstofheffing, waar van toepassing, minstens R2 500 bedra, wat bewys word by enige enkele geleentheid verlore te gegaan het, of vernietig of beskadig te gewees het in omstandighede van <u>vis major</u> of in sodanige ander omstandighede wat die Kommissaris buitengewoon ag terwyl sodanige goedere - (a) in enige doeane-en-aksynspakhuis is of in enige aangewese deurvoerloods of onder die beheer van die Kantoor is; (b) met uitstel van betaling van reg of met korting op reg van 'n plek in die Republiek na enige ander plek verwyder word kragtens die bepalings van hierdie Wet; of	Volle reg"	

I		II			III	IV
KORTING- ITEM	TARIEF= POS	KORTING= KODE	T. S.	BESKRYWING	MATE VAN KORTING	ANNO- TASIES
				(c) in enige kortingspakkamer opgeslaan word, mits - (i) geen vergoeding ten opsigte van die doeanereg of brandstofheffing op sodanige goedere betaal is of aan die eienaar deur enige ander persoon verskuldig is nie; (ii) sodanige verlies, vernietiging of beskadiging nie te wyte is aan enige nalatigheid of bedrog deur die persoon aanspreeklik vir die reg nie; en (iii) sodanige goedere nie in verbruik gegaan het nie		
412.16				Deur kortingitem 412.16 deur die volgende te vervang:		
"412.16	00.00	01.00	03	Goedere van enige beskrywing wat deur vlugte- linge uit Afrika-gebiede ingevoer is en wat deur die Kantoor verkoop word	Volle reg"	
412.19				Deur kortingitem 412.19 deur die volgende te vervang:		
"412.19	85.18	01.04	46	Mikrofone en luidsprekers, nie in omhulsels of kabinette gemonteer nie, vir die vervaardiging van telefone, draagbare radiotelefone, tele- visie-ontvangstoestelle en klankopneem- of -weergee-apparate	Hoogstens die reg in Afdeling B van Deel 2 van Bylae No. 1"	
412.21				Deur die woord "approval" na die woord "prior" in die Engelse teks in te voeg.		
460.14				Deur kortingitem 416.14 deur die volgende te vervang:		
"460.14	7117.19	01.06	62	Armbande en hangertjies, van vlekvrystaal, wat 'n plaatjie inkorporeer waarop 'n mediese onderskeidingsteken aangebring is, vir gravering met mediese besonderhede van die individue in die hoeveelhede en op die tye wat die Direkteur-generaal: Handel en Nywerheid, op aanbeveling van die Raad op Tariewe en Handel, by bepaalde permit toelaat	Volle reg"	
460.16				Deur kortingkode 02.02 by pos No. 85.00 deur die volgende te vervang:		
		"02.02	26	Onderdele vir radar- en radionavigasiehelp- apparate vir see- en lugvaartkundige doeleindes gebruik.	Volle reg"	

I	TARIEF= POS	KORTING= KODE	T. S.	II BESKRYWING	III MATE VAN KORTING	IV ANNOTASIES
460.17	"87.00	01.02	20	Deur tariefpos No. 87.00 deur die volgende te vervang: Een motorvoertuig of motorfiets, met of sonder 'n syspan, spesiaal ontwerp of aangepas vir gebruik deur 'n liggaamlik gestremde persoon, onderhewig aan 'n permit uitgereik deur die Direkteur-generaal: Handel en Nywerheid nadat die Nasionale Raad vir Liggaamlik Gestremdes in Suid-Afrika gesertifiseer het dat die voertuig of motorfiets aangepas is of aangepas sal word volgens die vereistes van aldus gestremde persoon en dat die voertuig vir die uitsluitlike gebruik deur aldus gestremde persoon is en dat 'n soortgelyke voertuig of motorfiets nie gewoonlik of op bevredigende wyse in die Republiek vervaardig word nie: (i) mits sodanige voertuig of motorfiets nie binne 'n tydperk van 3 jaar na die datum van klaring onder hierdie kortingitem aangebied, geadverteer, geleen, verhuur, verpag, verpand, weggegee, verruil, verkoop of andersins vervreem word sonder die vooraf toestemming van die Direkteur-generaal: Handel en Nywerheid nie: Met dien verstande dat enigeen van voormelde handelinge met sodanige voertuig of motorfiets binne 'n tydperk van 3 jaar na datum van klaring kragtens hierdie kortingitem sodanige voertuig of motorfiets onderhewig maak aan die betaling van reg; en (ii) 'n korting op reg kragtens hierdie kortingitem sal slegs eenkeer per persoon gedurende 'n tydperk van 3 jaar of sodanige korter tydperk as wat die Direkteur-generaal: Handel en Nywerheid in buitengewone omstandighede mag besluit, toegestaan word.	Volle reg"	
460.23				Deur die Opmerking by kortingitem 460.23 deur die volgende te vervang: "OPMERKING: By die toepassing van paragraaf (ii) is die persoon wat sodanige goedere met korting op reg klaar verantwoordelik vir die gekorte reg tensy hy of sy bewys lewer dat sodanige goedere aldus verskaf of gebruik is in die vervaardiging van die toerusting, installasie of toestel wat aan die persoon gelewer is in paragraaf (2) vermeld."		
470.00				Deur na die opskrif by kortingitem 470.00 die volgende in te voeg: "OPMERKINGS: 1. Tydelike toelating van enige goedere kragtens kortingitem 470.00 is, <u>mutatis mutandis</u>, onderworpe aan die bepalings van die reëls vir artikel 75. 2. Die Kommissaris sal van die invoerder verlang om by hom of haar 'n skaal van opbrengs van die verwerkte of vervaardigde goedere te registreer wat verkry sal word per eenheid van die ingevoerde goedere.		

I KORTING= ITEM	TARIEF= POS	KORTING= KODE	T. S.	II BESKRYWING	III MATE VAN KORTING	ANNO- TASIES
480.00				3. (a) Goedere toegelaat kragtens die bepalings van kortingitem 470.01 of 470.03 moet vir die verwerking of vervaardiging van goedere vir uitvoer, gebruik word en die verwerkte of vervaardigde goedere moet binne 12 maande vanaf die datum van klaring daarvan uitvoer word; (b) onderdele kragtens die bepalings van kortingitem 470.02 toegelaat moet gebruik word en die goedere bestem vir herstel, skoonmaak, of opknapping moet binne ses maande vanaf die datum van klaring daarvan uitvoer word: Met dien verstande dat die Kommissaris, in omstandighede wat hy of sy buitengewoon beskou, die tydperk in elke geval genoem vir 'n verdere tydperk wat hy of sy as redelik beskou kan uitstel: Met dien verstande voorts dat aansoek om sodanige uitstel gedoen word voordat die tydperk van 12 maande of 6 maande na gelang van die geval, verstryk. 4. Aanspreeklikheid vir die reg op enige goedere genoem in kortingitems 470.01, 470.02 of 470.03 eindig by voorlegging van bewys dat die ingevoerde goedere gebruik is vir herstel, skoonmaak, opknapping, verwerking of vervaardiging en die goedere herstel, skoongemaak, opgeknop, verwerk of vervaardig behoorlik uitvoer is." Deur na die opskrif by kortingitem 480.00 die volgende in te voeg: "OPMERKINGS: 1. Tensy andersins in hierdie opmerkings genoem, moet goedere onder hierdie item ingevoer by invoer op vorm DA 500 en by her-uitvoer op vorm DA 550 of op sodanige ander vorm wat die Kommissaris mag bepaal, geklaar word. 2. Waar artikels nie gereedelik geïdentifiseer kan word deur buitelandse seëls, deur merke, deur nommers of ander identifikasie permanent aan hulle geheg, deur beskrywing, deur foto's of deur toetsing nie, kan doeane- en aksynsmerke of -seëls aan hulle geheg word. 3. Vir die doeleindes van kortingitem 480.20 is welsynmateriaal wat aan wal gebring is van 'n skip vir tydelike gebruik aan wal deur die bemanning vir 'n tydperk wat nie die skip se verblyf in die hawe sal oorskry nie, nie onderhewig aan klaring op vorm DA 500 of DA 550 soos genoem in Opmerking 1 nie. 4. Internasionale carnets vir die tydelike toelating van goedere waarna in artikel 38 verwys word, is aanvaarbaar in plaas van invoer- en uitvoerdokumente en as waarborg vir enige reg ten opsigte van kortingitems 480.10, 480.15 en 480.35.		

I KORTING= ITEM	TARIEF= POS	KORTING= KODE	T. S.	II BESKRYWING	III MATE VAN KORTING	ANNO- TASIES
				5. Vir die doeleindes van kortingitem 480.35 - (a) kan monsters ingevoer word deur - (i) handelsreisigers en ander verteenwoordigers van firmas in die buiteland wat die Republiek tydelik besoek met hulle monsters vir die doel om bestellings te werf; (ii) persone of firmas wat in die Republiek gevestig is met inbegrip van agente vir buitelandse firmas, aan wie monsters, vry van koste gestuur mag word deur firmas in die buiteland vir dieselfde doel; (iii) 'n voornemende klant in die Republiek aan wie 'n monster kosteloos uitgeleen word vir inspeksie en demonstrasie met die doel om 'n bestelling te verkry vir soortgelyke goedere; (b) word, behalwe met die toestemming van die Kommissaris, slegs een monster van elke beskrywing, reeks, tipe of kleur van 'n artikel tydelik toegelaat; en (c) moet elke monster van 'n verteenwoordigende artikel wees van 'n spesifieke kategorie van goedere wat reeds in die buiteland vervaardig word of sal word uitsluitlik ingevoer vir die doel om kosteloos vertoon of gedemonstreer te word aan voornemende klante. 6. By heruitvoer van die betrokke goedere - (a) kan sodanige goedere deur enige doeane- en aksynskantoor waardeur goedere uitgevoer mag word heruitgevoer word en mag in meer as een besending gemaak word; en (b) moet die dokumente wat ten tyde van klaring voorgelê is, aan die Kontroleur voorgelê word en die goedere onder toesig van die beampte heruitgevoer word, indien die Kontroleur so verlang. 7. Behalwe ten opsigte van die goedere in Opmerking 3, moet goedere - (a) in die geval van goedere onder 'n internasionale carnet, binne die geldigheidsduur van daardie carnet; en (b) in die geval van ander goedere, binne 6 maande vanaf die datum van klaring daarvan of binne sodanige verdere tydperk soos die Kommissaris, in buitengewone omstandighede toelaat, heruitgevoer word. 8. Die aanspreeklikheid van die invoerder sal eindig indien hy bewys dat die goedere behoorlik heruitgevoer is of indien die goedere onder toesig van 'n beampte uitgevoer is.		

I KORTING= ITEM	III TARIEF= POS	KORTING= KODE	T. S.	II BESKRYWING	III MATE VAN KORTING	I ANNO- TASIES
490.00				9. (a) Op aanvraag van die invoerder, en onderworpe aan die toestemming van die Kommissaris, kan tydelike toelating beëindig word deur die goedere vir binnelandse verbruik te klaar, of deur prysgawe van die goedere of vernietiging daarvan. (b) Die bepalings van kortingitem 412.07 is <u>mutatis mutandis</u> van toepassing op die prysgawe of vernietiging van die betrokke goedere." Deur na die opskrif by kortingitem 490.00 die volgende in te voeg: "OPMERKINGS: 1. Tydelike toelating van enige goedere kragtens kortingitem 490.00 is, behalwe soos bepaal mag word in enige ander opmerking onder hierdie kortingitem, <u>mutatis mutandis</u> onderworpe aan die bepalings van Opmerkings 1, 2, 6, 7, 8 en 9 by kortingitem 480.00. 2. Vir die doeleindes van kortingitem 490.35 - (a) kan palette tydelik ingevoer deur 'n paletoperateur of belaaï of vir die laai van vrag vir uitvoer, op versoek van die paletoperateur, indien die Kommissaris goedkeur, toegelaat word sonder die voorlegging van doeane- en aksynsdokumente of by invoer of by heruitvoer en sonder die verskaffing van waarborg; en (b) moet die paletoperateur rekord hou van palette tydelik toegelaat en moet, soos die Kommissaris mag verlang, gedetailleerde inligting verskaf betreffende die beweging van elke palet waarvan tydelike toelating toegestaan is, met inbegrip van die datums en plekke van toegang tot en uitgang uit die Republiek."		
495.00				Deur kortingiem 495.00 deur die volgende te vervang:		
"495.00	00.00	01.00	00	Goedere ten opsigte waarvan die brandstofheffing, tesame met die doeanereg waar van toepassing, minstens R2 500 bedra, wat bewys word by enige enkele geleentheid verlore te gegaan het, of vernietig of beskadig te gewees het in omstandighede van <u>vis major</u> of in sodanige ander omstandighede wat die Kommissaris buitengewoon ag terwyl sodanige goedere - (a) in enige doeane-en-aksynspakhuis is of in enige aangewese deurvoerloods of onder die beheer van die Kantoor is; (b) met uitstel van betaling van reg of met korting op reg van 'n plek in die Republiek na enige ander plek verwyder word kragtens die bepalings van hierdie Wet; of	Volle brandstof= heffing"	

I KORTING= ITEM	TARIEF= POS	KORTING= KODE	T. S.	II BESKRYWING	III MATE VAN KORTING	IV ANNO- TASIES
				(c) in enige kortingspakkamer opgeslaan word; mits - (i) geen vergoeding ten opsigte van die brandstofheffing of doeanereg op sodanige goedere betaal is of aan die eienaar deur enige ander persoon verskuldig is nie; (ii) sodanige verlies, vernietiging of beskadiging nie te wyte is aan enige nalatigheid of bedrog deur die persoon aanspreeklik vir die reg nie; en (iii) sodanige goedere nie in verbruik gegaan het nie.		

2321m/0122X

No. R. 285

23 February 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 5 (No. 5/43)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 5 of the said Act is hereby amended with retrospective effect on 1 January 1996, to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

I DRAWBACK ITEM	II			III EXTENT OF	ANNO- TIONS
	TARIFF HEADING	CODE	C. D. DRAWBACK DESCRIPTION		
NOTES			By the substitution for Note 11 of the following: "11. A refund of fuel levy paid under Part 5 of Schedule No. 1 in respect of any goods specified in Column II of Part 4 of this Schedule shall, subject to the provisions of section 75 and the rules, be allowed to the extent stated in Column III of that Part, in respect of such goods on compliance with the provisions of the item in this Part in which such goods are specified and of any notes applicable in respect of such item." By the substitution for the Notes of Part 1 of the following: "Notes: 1. The provisions of the rules for section 75 shall <i>mutatis mutandis</i> apply in respect of any drawback claimed under this Part to the extent the Commissioner may require and for that purpose any reference to Schedule No. 3, 4 or 6 shall be deemed to include a reference to Part 1 of Schedule No. 5 and any reference to a rebate of duty shall be deemed to be a reference to a drawback of duty. 2. Any person desirous of claiming a drawback of duty under the provisions of any item of this Part in respect of any goods specified in such item, shall - (a) apply to the Commissioner through the Controller, on a form approved by the Commissioner, for registration to entitle him or her to such drawback and for registration of the premises where such goods will be used; and (b) submit to the Controller with his or her application for registration, a statement indicating the methods he or she proposes to follow for the purposes of proving that any imported goods specified in the item in respect of which registration is sought have been used in the manufacture of the goods specified in such item and that he or she is entitled to a drawback in respect of the duty on such goods.		

I		II			III	
DRAWBACK ITEM	TARIFF HEADING	CODE	C. D.	DESCRIPTION	EXTENT OF DRAWBACK	ANNO- TIONS
				3. Every registrant shall notify the Controller immediately, or in advance, of any change or contemplated change in the registered name under which he or she trades, the address of his or her registered premises, the nature of the goods obtained by him or her and the nature of the goods manufactured therefrom or the method by which it is his or her intention to prove his or her claim to a drawback in respect of such goods. 4. The Commissioner may require that - (a) the formula to be used by any registrant shall be registered with him or her and if so registered no registrant shall depart from such formula except with the permission of the Commissioner; and (b) any goods manufactured from any imported goods shall be given such identifying mark or number as he or she may decide and any declaration by such manufacturer for the purposes of this Part shall refer to such mark or number. 5. Any application for a drawback of duty shall be submitted to the Controller on the prescribed form (form DA 66) together with an application for drawback on form DA 64 and such supporting evidence as the Commissioner may require. 6. Every registrant shall establish and prove to the Commissioner the quantity of each class or kind of imported goods actually incorporated or used in any exported goods and also the quantity of waste of such imported goods incurred in the manufacture of such exported goods. If such waste is normal for the goods in question, the Commissioner may accept a claim for a drawback of the duty on such imported goods actually incorporated or used in such exported goods and the normal waste incurred in the manufacture of such exported goods. 7. No drawback of duty in excess of the duty actually paid on importation of any goods specified in any item of this Part shall be paid in terms of the said Part and the onus of proving the amount of duty so paid on importation of such goods shall rest upon the registrant claiming a drawback in respect of such goods. If such goods were imported or entered for payment of duty by a person other than the registrant such registrant shall obtain and submit and authenticated copy of the relative bill of entry from such person or arrange for such copy to be submitted to the Controller by such person.		

I DRAWBACK ITEM	II TARIFF HEADING CODE	C. D.	DESCRIPTION	III EXTENT OF DRAWBACK	IV ANNOTATIONS
521.00			8. Any claim for drawback of duty shall be based on the duty paid on the consignments of the specified imported goods in the order in which they were acquired by the registrant or if this method is not practicable and different values or different rates of duty applied in respect of different consignments of such imported goods, the Commissioner may determine an amount of duty and such amount shall be deemed to be the amount of duty paid in respect of such imported goods. 9. The Commissioner may accept a claim for a drawback of duty specified in any item of this Part and incorporated or used in any goods manufactured before and exported on or after the date on which the claimant in question was registered in terms of Note 3 provided the provisions of the said item and the relative notes have been otherwise complied with in respect of such goods. 10. A drawback under this Part shall be subject to production of evidence of the export of the goods in the manufacture, processing, finishing, equipment or packing of which the goods specified opposite any tariff heading in Column II of this Part were used."		
522.02			By the substitution for paragraph (3) to heading No. 00.00 of the following: "(3) the Commissioner may exempt any person to whom such permit has been issued or any goods to which this item is applicable from the provision of any Note relating to Part 1 of the Schedule No. 5." By the insertion after the heading of refund item 522.00 the following: "NOTES 1. Refund item 522.00 shall not apply to goods which have already gone into use in the Republic, except where there has been limited use as determined by the Commissioner in cases where such use is indispensable to reveal any inherent defect or to establish that the goods do not conform to the conditions of the contract. 2. Any application for a refund of duty in terms of the provisions of refund item 522.00 shall - (a) be submitted on the prescribed form which shall be duly completed and be supported by - (i) a copy of the bill of entry relating to the importation of such goods or such other or additional evidence of the payment of duty on and the identity of such goods by the person claiming the refund; and (ii) such evidence of exportation as the Commissioner may require.		

I DRAWBACK ITEM	TARIFF HEADING	CODE	C. D.	DESCRIPTION	EXTENT OF DRAWBACK	ANNO- TIONS
				(b) In case of refund item - (i) 522.02 be lodged with the Controller in whose area of control the importer conducts his or her business and where the relevant goods are being kept at the time for examination; and (ii) 522.03 be lodged with the Controller at whose office the applicable forms DA 63/DA 550 were accepted. 3. Exportation of any goods under the provisions of refund item 522.00 shall be subject to the approval of the Commissioner and where he or she requires that such goods shall be examined and their containers sealed by an officer, the exporter shall pay at the prescribed rates for the attendance of such officer. 4. The provisions of rebate item 412.07 shall <u>mutatis mutandis</u> apply to the abandonment or destruction of goods obtained under the provisions of refund item 522.02. 5. (a) For the purposes of refund item 522.03 a refund of duty as intended by section 75(1)(c) shall only be granted to a person - (i) if the bill of entry for export is at the time of the submission thereof accompanied by an application for refund in the prescribed form (form DA 63): Provided that where such bill of entry at the time of the submission thereof is not accompanied by such application for refund, such refund may be considered provided proof of the identity of the goods is produced; and (ii) who, subject to the provisions of section 75(14), submits a general application for refund (form DA 66) together with an application for refund (form DA 63) and any other documents which the Commissioner may require in respect of the intended refund; (b) in the case of goods to be exported by parcel post or from a place where there is no customs and excise office the exporter shall, prior to the export of the goods, deliver the said application for refund (form DA 63) to the Controller at the customs and excise office nearest the place from where the goods are to be exported, and the said goods shall not be exported until permission to export has been granted by the Controller.		

I		II			III	
DRAWBACK ITEM	TARIFF HEADING	CODE	C. D.	DESCRIPTION	EXTENT OF DRAWBACK	ANNO- TATIONS
				6. No person shall be granted the refund of duty under refund item 522.04 unless - (a) return of the goods to the sender has taken place under the supervision of an officer or post office official and proof of payment of duty on importation has been furnished to the officer or official; and (b) the application for refund is in a form approved by the Commissioner and is supported by a certificate signed by the officer or post office official concerned to the effect that the requirements of paragraph (a) have been complied with." By the substitution for heading No. 00.00 of the following:		
	"00.00	01.00	09	Goods, from a single consignment, not having been imported contrary to the provisions of any law, on which duty amounting of R50 or more has been paid and - (i) which are found to be not legally saleable in the Republic because they do not conform to a standard prescribed by law; or (ii) which, at the time of importation, were not in accordance with the terms of the contract in respect of their description, quality, state or condition and documentary evidence confirming the dispute in this respect between the supplier and the importer, is furnished; or (iii) which have been landed damaged; provided such goods are identifiable with the imported goods and, within 24 months of the date of their entry for home consumption - (i) are returned to the supplier thereof or another person designated by the supplier; or (ii) are abandoned to the Office unconditionally or destroyed with the permission of the Commissioner.	Full duty"	
522.06	"49.00	01.00	26	By the substitution for heading No. 49.00 of the following: Printed books, journals and periodicals, not having been imported contrary to the provisions of any law, on which duty amounting to R50 or more has been paid and which, irrespective of having been released from customs control, are proved to the Commissioner - (i) to be legally unsaleable in the Republic because they do not conform to a standard required by law; or (ii) to have been supplied in error or received in an unsaleable condition; or (iii) to have become unsaleable and are being returned to the supplier or are abandoned to the Office;	Full duty"	

I DRAWBACK ITEM	TARIFF HEADING	CODE	C. D.	II DESCRIPTION	III EXTENT OF DRAWBACK	ANNO- TATIONS
PART 3				provided such goods, within 24 months of the date of their entry for home consumption - (i) are re-exported under supervision of the Office; or (ii) are accepted back into the custody of the Office after unconditional abandonment to the State and acceptance, in writing by the importer, of the risk and responsibility for the cost of destruction thereof. By the substitution for the heading of the following: "MISCELLANEOUS REFUNDS OF CUSTOMS DUTIES AND FUEL LEVY" By the substitution for the Notes of the following: "NOTES: - For the purposes of refund item 532.00 the provisions of rebate item 412.07 shall <u>mutatis mutandis</u> apply to the abandonment or destruction of goods. - No refund of customs duty is payable in respect of distillate fuels for use by any department of the national government or of any provincial government."		
				By the substitution of the provision after the heading to refund item 532.00 of the following: "Goods which have been entered for home consumption and are unconditionally abandoned to the Office by the owner or goods destroyed with the permission of the Commissioner: Provided that the Commissioner may decline to accept abandonment or grant permission for destruction: Provided further that acceptance of abandonment or destruction of any goods shall be subject to such conditions as prescribed by rule." By the substitution for the Notes of the following: "NOTES: - In this refund item - (a) "road" means any terrain over which a vehicle can be driven whether or not it is private property and "road transport" has a corresponding meaning; (b) "agriculture" means the science, art and function of soil cultivation including the reaping of harvests, the rearing of and caring for animals, fish and reptiles and the keeping of bees, for the production of agricultural products, the drilling for water and the building of dams and roads and hired services performing such functions at a place where agriculture is conducted;		

I DRAWBACK ITEM	TARIFF HEADING	CODE	C. D.	II DESCRIPTION	III EXTENT OF DRAWBACK	ANNO- TIONS
				(c) "agricultural products" means animals, fish and reptiles and their products, plants and vegetable products in their natural state or the processed produce of agriculture, and includes eggs, milk, cream, meat, honey, grain, vegetables, fresh fruit, dried fruit, wine, flowers, nursery products, wool and hides, whether or not packed for marketing; (d) "agricultural requirements" means goods that are essential for agriculture and includes goods for the cultivation of the soil, growing of crops, reaping of harvests, rearing of and caring for animals, fish and reptiles and the building of dwellings and structures for agricultural purposes; (e) "transport in agriculture" means the transport of labour to and from the place where agriculture is carried on, agricultural products on and from such place to the premises of the buyer or other place from where the goods are marketed or where the goods will be processed by a person other than the person carrying on agriculture, whichever destination comes first and the transport of agricultural requirements on such place and from the suppliers loading point to such place. For the purpose of this definition a vehicle shall be deemed to be used for transport in agriculture when either on the forward or return journey it conveys mainly agricultural products or requirements and includes hired services performed on behalf of the person carrying on agriculture; (f) "forestry" means the science, art and function of planting and the maintenance of plantations, including the growing of seed, seedlings and saplings, the cultivation of the soil, the protection of plantations against fire and the felling of trees by the person carrying on forestry and the building and maintenance of roads in the plantation; (g) "transport in forestry" means transport of primary forestry products, for example, seed, seedlings and saplings, bark and felled trees in the plantation, from the plantation to the saw-mill or to any other point of discharge; transport of forestry requirements, for example, sprays, implements, seed, seedlings and saplings in the plantation and from the supplier's point of loading to the plantation and the transport of employees for activities in forestry. For the purpose of this definition a vehicle shall be deemed to be used for transport in forestry when either on the forward or return journey it conveys mainly such forestry products or requirements and includes hired services performed on behalf of the person carrying on forestry.		

I DRAWBACK ITEM	TARIFF HEADING	CODE	C. D.	II DESCRIPTION	III EXTENT OF DRAWBACK	ANNO- TIONS
540.00				2. For the purposes of a refund of customs duty in terms of refund item 533.01 the provisions of Note 1 under item rebate 609.00 shall <u>mutatis mutandis</u> apply." By the substitution for the Note of the following: "NOTES: 1. In this item "road", "agriculture", "agricultural products", "agricultural requirements", "transport in agriculture", "forestry", "transport in forestry", "mining" and "construction" shall have the same meanings assigned thereto in the Notes to refund item 533.00 of this Schedule. 2. For the purposes of a refund of fuel levy in terms of refund item 540.02 the provisions of Note 1 under rebate item 609.00 shall <u>mutatis mutandis</u> apply."		

WYSIGING VAN BYLAE No. 5 (No. 5/43)

A. ERWIN

Adjunkminister van Finansies

BYLAE

I TERUG= GAWE ITEM	TARIEF= POS	KODE	T. S.	II BESKRYWING	III MATE VAN TERUG= GAWE	ANNO= TASIES
Opmerkings				Deur Opmerking 11. deur die volgende te vervang: "11. 'n Terugbetaling van die brandstofheffing wat kragtens Deel 5 van Bylae No. 1 ten opsigte van enige Kolom 11 van Deel 4 van hierdie Bylae vermelde goedere betaal is, word, behoudens die bepalinge van artikel 75 en die reëls, in die mate in Kolom III van daardie Deel aangetoon, by nakoming van die bepalinge van die item in hierdie Deel waarin daardie goedere vermeld word en van enige opmerkings van toepassing ten opsigte van sodanige item gedoen." Deur die Opmerking by Deel 1 deur die volgende te vervang: "OPMERKINGS: 1. Die bepalinge van die reëls vir artikel 75 is <u>mutatis mutandis</u> van toepassing ten opsigte van enige teruggawe geëis onder hierdie Deel tot die mate wat die Kommissaris vereis en vir daardie doel word enige verwysing na Bylae No. 3, 4 of 6 geag 'n verwysing na Deel 1 van Bylae No. 5 in te sluit en 'n verwysing na 'n korting op reg geag 'n verwysing na 'n teruggawe van reg te wees. 2. Enigiemand wat aanspraak maak om 'n teruggawe van reg kragtens die bepalinge van enige item van hierdie Deel ten opsigte van enige goedere in sodanige item vermeld, moet - (a) aansoek, by die Kommissaris deur die Kontroleur doen, op 'n vorm wat deur die Kommissaris goedgekeur is vir registrasie wat hom of haar op so 'n teruggawe geregtig sal maak en vir registrasie van die perseel waar sodanige goedere gebruik sal word; en (b) tesame met sy of haar aansoek om registrasie aan die Kontroleur 'n verklaring voorlê van die metodes wat hy of sy voornemens is om te volg, met die doel om bewys te lewer dat enige in die item vermelde ingevoerde goedere ten opsigte waarvan registrasie verlang word, in die vervaardiging van die in sodanige item vermelde goedere gebruik is en dat hy of sy op 'n teruggawe ten opsigte van die reg op sodanige goedere geregtig is.		

I TERUG= GAWE ITEM	II			III MATE VAN TERUG= GAWE	ANNO= TASIES
	TARIEF= POS	KODE	T. S.		
			3.		
			'n Geregistreerde moet die Kontroleur onmiddellik, of vooruit, in kennis stel van enige verandering of voorgenome verandering in die geregistreerde naam waaronder hy of sy handel drywe, die adres van sy of haar geregistreerde perseel, die aard van die goedere wat deur hom of haar verkry word en die aard van die goedere wat daarvan vervaardig word of die metode waarvolgens dit sy of haar bedoeling is om sy of haar eis op 'n teruggawe ten opsigte van sodanige goedere te bewys.		
			4.		
			Die Kommissaris kan eis dat - (a) die formule wat deur enige geregistreerde gebruik gaan word by hom of haar geregistreer moet word en indien so geregistreer mag geen geregistreerde, behalwe met die toestemming van die Kommissaris, van sodanige formule afwyk nie; en (b) enige goedere wat van enige ingevoerde goedere vervaardig is van 'n identifikasiemerk of -nommer wat hy of sy bepaal voorsien moet word en enige verklaring deur sodanige vervaardiger vir die doeleindes van hierdie Deel na sodanige merk of nommer moet verwys.		
			5.		
			'n Aansoek om 'n teruggawe van reg moet aan die Kontroleur op die voorgeskrewe vorm (DA 66) tesame met 'n aansoek om teruggawe op vorm DA 64 en die stawende bewys wat die Kommissaris verlang, voorgelê word.		
			6.		
			'n Geregistreerde moet die hoeveelheid van elke klas of soort ingevoerde goedere wat werklik in enige uitgevoerde produk geïnkorporeer of gebruik is en ook die hoeveelheid van afval van sodanige ingevoerde goedere wat by die vervaardiging van sodanige uitgevoerde produk ontstaan het, vasstel en aan die Kommissaris bewys. Indien sodanige afval ten opsigte van die onderhawige goedere normaal is, kan die Kommissaris 'n eis vir 'n teruggawe van die reg op sodanige ingevoerde goedere wat werklik in sodanige uitgevoerde goedere geïnkorporeer of gebruik is en die normale afval wat in die vervaardiging van sodanige uitgevoerde produk ontstaan, aanvaar.		
			7.		
			Geen teruggawe van reg wat die reg wat werklik by invoer van enige in 'n item van hierdie Deel vermelde goedere oorskry, word ingevolge die bedoelde Deel betaal nie en die las om die bedrag aan reg aldus by invoer van sodanige goedere betaal te bewys, rus op die geregistreerde wat die teurgawe ten opsigte van sodanige goedere eis. Indien sodanige goedere ingevoer is of geklaar is vir betaling van reg deur 'n ander persoon as die geregistreerde moet sodanige geregistreerde 'n gewaarmerkte afskrif van die betrokke klaringsbrief van sodanige persoon verkry en voorlê of reël dat sodanige afskrif deur sodanige persoon aan die Kontroleur voorgelê word.		

I TERUG= GAWE ITEM	II TARIEF= POS	III KODE	T. S.	II BESKRYWING	III MATE VAN TERUG= GAWE	ANNO= TASIES
				8. Enige eis vir teruggawe van reg sal gegrond wees op die reg betaal op die besendings van vermelde ingevoerde goedere in die volgorde waarin dit deur die geregistreerde verkry is of indien die metode nie uitvoerbaar is nie en verskillende waardes of verskillende skale van reg van toepassing was ten opsigte van verskillende besendings van sodanige ingevoerde goedere, kan die Kommissaris 'n bedrag aan reg bepaal en sodanige bedrag word geag die bedrag aan reg te wees wat ten opsigte van sodanige ingevoerde goedere betaal is. 9. Die Kommissaris kan 'n eis aanvaar vir 'n teruggawe van reg in enige item van hierdie Deel vermeld en wat geïnkorporeer of gebruik is in enige goedere voorheen vervaardig en uitgevoer op of na die datum waarop die betrokke eise ooreenkomstig Opmerking 3 geregistreer is, mits andersins aan die bepaling van die bedoelde item en die betrokke opmerkings ten opsigte van sodanige goedere voldoen is. 10. 'n Teruggawe kragtens hierdie Deel is onderworpe aan voorlegging van bewyse van die uitvoer van die goedere by die vervaardiging, verwerking, afwerking, uitrusting of verpakking waarvan die goedere wat teenoor enige tariefpos in Kolom II van hierdie Deel vermeld is, gebruik is."		
521.00				Deur paragraaf (3) by pos No. 00.00 deur die volgende te vervang: "(3) die Kommissaris enige persoon aan wie sodanige permit uitgereik is of enige goedere waarop hierdie item van toepassing is van die bepaling van enige Opmerking wat op Deel 1 van Bylae No. 5 betrekking het, kan vrystel."		
522.02				Deur na die opskrif by terugbetalingitem 522.00 die volgende in te voeg: "OPMERKINGS: 1. Item 522.00 is nie van toepassing op goedere wat reeds in die Republiek in gebruik gegaan het nie, behalwe in gevalle waar daar beperkte gebruik was, soos deur die Kommissaris bepaal en sodanige gebruik onontbeerlik is om enige inherente fout te openbaar of om vas te stel dat die goedere nie aan die voorwaardes van die kontrak voldoen nie. 2. Enige aansoek om 'n terugbetaling van reg ooreenkomstig die bepaling van terugbetalingitem 522.00 moet - (a) op die voorgeskrewe vorm, wat behoorlik ingevul moet word, voorgelê word en gesteun word deur - (i) 'n afskrif van die klaringsbrief met betrekking tot die invoer van sodanige goedere of sodanige ander of bykomstige bewyse van die betaling van reg op en die identiteit van sodanige goedere deur die persoon wat die terugbetaling eis; en (ii) sodanige bewys van uitvoer wat die Kommissaris verlang;		

I TERUG= GAWE ITEM	II TARIEF= POS KODE T. S.	BESKRYWING	III MATE VAN TERUG= GAWE	ANNO= TASIES
		(b) in die geval van terugbetalingitem - (i) 522.02 by die Kontroleur in wie se beheergebied die invoerder sy of haar besigheid bedryf en waar die betrokke goedere op daardie tydstop vir ondersoek gehou word, ingedien word; en (ii) 522.03 by die Kontroleur by wie se kantoor die toepaslike vorms DA 63/DA 550 aanvaar is, ingedien word. 3. Uitvoer van enige goedere kragtens die bepalings van terugbetalingitem 522.00 is onderhewig aan die Kommissaris se goedkeuring en waar hy of sy verlang dat sodanige goedere of die houters daarvan deur 'n beampte verseël moet word, moet die uitvoerder vir die diens van sodanige beampte teen die voorgeskrewe skale betaal. 4. Die bepalings van kortingitem 412.07 is <u>mutatis mutandis</u> van toepassing op die prysgawe of vernietiging van die goedere kragtens die bepalings van terugbetalingitem 522.02 verkry. 5. (a) Vir die doeleindes van terugbetalingitem 522.03 word 'n terugbetaling van reg soos bedoel in artikel 75(1)(c) slegs toegestaan aan 'n persoon - (i) indien die klaringsbrief vir uitvoer ten tyde van die indiening daarvan van 'n aansoek om terugbetaling in die voorgeskrewe vorm (vorm DA 63) vergesel gaan: Met dien verstande dat waar sodanige klaringsbrief ten tyde van die indiening daarvan nie van sodanige aansoek om terugbetaling vergesel gegaan het nie, sodanige terugbetaling oorweeg mag word mits bewyse van die identiteit van die goedere voorgelê word; en (ii) wat behoudens die bepalings van artikel 75(14), 'n algemene aansoek om terugbetaling (vorm DA 66) tesame met die aansoek om terugbetaling (vorm DA 63) en enige ander dokumente wat die Kommissaris in verband met die beoogde terugbetaling vereis, indien. (b) in die geval van goedere wat per pakketpos of van 'n plek waar daar geen doeane- en aksynskantoor is nie, uitgevoer gaan word, moet die uitvoerder voor die uitvoer van die goedere, gemelde aansoek om terugbetaling (vorm DA 63) aan die Kontroleur by die doeane- en aksynskantoor naaste aan die plek van waar die goedere uitgevoer gaan word, lewer, en bedoelde goedere moet nie uitgevoer word voordat toestemming om uit te voer deur die Kontroleur verleen is nie.		

I TERUG= GAWE ITEM	II			III MATE VAN TERUG= GAWE	ANNO= TASIES
	TARIEF= POS	KODE	BESKRYWING		
			6. Niemand word die terugbetaling van reg onder terugbetalingitem 522.04 toegestaan nie, tensy - (a) terugsending van die goedere na die afsender onder toesig van 'n beampte of poskantoorbeampte plaasgevind het, en bewys van betaling van reg by invoer, aan die beamptes gelewer is; en (b) die aansoek om terugbetaling in 'n deur die Kommissaris goedgekeurde vorm is, en gestaaf word deur 'n sertifikaat, onderteken deur die betrokke beampte of poskantoorbeampte, met die strekking dat die vereistes van paragraaf (a) nagekom is." Deur pos No. 00.00 deur die volgende te vervang:		
	"00.00	01.00	09 Goedere, uit 'n enkele kommersiële besending, wat nie strydig met die bepalings van enige wet ingevoer is nie, waarop regte ten bedrae van minstens R50 betaal is en - (i) wat bevind word nie wettiglik in die Republiek verkoopbaar te wees nie omdat dit nie aan 'n wetlike voorgeskrewe standaard voldoen nie; of (ii) wat, ten tyde van invoer, nie in ooreenstemming met die bepalings van die kontrak ten opsigte van hul beskrywing, kwaliteit, toestand of kondisie was nie en dokumentêre bewys ter bevestiging van die geskil in dié verband tussen die leweransier en die invoerder voorgelê word; of (iii) wat beskadig geland was; mits sodanige goedere met die ingevoerde goedere uitkenbaar is en dit binne 24 maande na die datum van klaring vir binnelandse verbruik daarvan - (i) na die leweransier daarvan of 'n ander persoon wat deur die leweransier aangewys is, teruggestuur word; of (ii) onvoorwaardelik aan die Kantoor prysgegee word of met die toestemming van die Kommissaris vernietig word.	Volle reg"	
522.06	"49.00	01.00	26 Bedrukte boeke, joernale en tydskrifte, wat nie strydig met die bepalings van enige wet ingevoer is nie, waarop regte ten bedrae van minstens R50 betaal is ten opsigte waarvan, ongeag of dit reeds van doeanebeheer vrygestel is, aan die Kommissaris bewys word dat - (i) dit nie wettig in die Republiek verkoop mag word omdat dit nie aan 'n wetlike voorgeskrewe standaard voldoen nie; of (ii) dit per abuis gelewer is of in 'n onverkoopbare toestand ontvang is; of (iii) dit onverkoopbaar geword het en aan die leweransier teruggestuur word of aan die Kantoor prysgegee word;	Volle reg"	

I TERUGBETALINGS ITEM	TARIEF= POS	KODE	T. S.	II BESKRYWING	III MATE VAN TERUGBETA- LING	ANNO- TASIES
DEEL 3				mits sodanige goedere binne 24 maande na die datum van klaring vir binnelandse verbruik daarvan - (i) onder toesig van die Kantoor heruitgevoer word; of (ii) terug onder beheer van die Kantoor aanvaar is na onvoorwaardelike prysgawe aan die Staat en skriftelike aanvaarding deur die invoerder van die risiko en verantwoordelikheid vir die koste van vernietiging daarvan. Deur die opskrif deur die volgende te vervang: "DIVERSE TERUGBETALINGS VAN DOEANEREGTE EN BRANDSTOFHEFFING" Deur die Opmerkings deur die volgende te vervang: "OPMERKINGS: 1. Vir die doeleindes van terugbetalingitem 532.00 is die bepalinge van kortingitem 412.07 <i>mutatis mutandis</i> van toepassing op die prysgawe of vernietiging van goedere. 2. Geen terugbetalings van doeanereg is betaalbaar ten opsigte van distillaatbrandstowwe vir gebruik deur enige nasionale goewerment of deur enige provinsiale goewerment." Deur vervanging van die bepalinge na die opskrif by terugbetalingitem 532.00 van die volgende: "Goedere wat vir binnelandse verbruik geklaar is en onvoorwaardelik aan die Kantoor prysgegee word deur die eienaar of goedere wat met die toestemming van die Kommissaris vernietig word: Met dien verstande dat die Kommissaris kan weier om prysgawe te aanvaar of om toestemming vir vernietiging te verleen: Met dien verstande voorts dat aanvaarding van prysgawe of vernietiging van enige goedere onderworpe sal wees aan die voorwaardes by reël voorgeskryf."		
532.00						
533.00				Deur die Opmerkings deur die volgende te vervang: "OPMERKINGS: 1. By hierdie terugbetalingitem beteken - (a) "pad" enige terrein waarop met 'n voertuig gery kan word hetsy dit private eiendom is al dan nie en "padvervoer" het 'n ooreenstemmende betekenis; (b) "landbou" die wetenskap, kuns en funksie van grondbewerking met inbegrip van die insameling van oeste, die teel en versorging van diere, vis en reptiele en byeboerdery, vir die produksie van landbouprodukte, die boor vir water en die bou van damme en paaie en gehuurde dienste wat sodanige funksies verrig op 'n plek waar landbou beoefen word;		

I TERUGBETA- LINGS ITEM	II TARIEF= POS	III KODE	T. S.	II BESKRYWING	III MATE VAN TERUGBETA- LING	IV ANNO- TASIES
				(c) "landbouprodukte" diere, vis en reptiele en hulle produkte, plante en plantaardige produkte in hulle natuurlike staat of die verwerkte landbouprodukte en sluit in eiers, melk, room, vleis, heuning, graan, groente, vars vrugte, droë vrugte, wyn, blomme, kwekeryprodukte, wol en velle, hetsy verpak vir bemarking al dan nie; (d) "landboubenodighede" goedere wat noodsaaklik is vir landbou en sluit in goedere vir bewerking van die grond, die verbouing van gewasse, insameling van oeste, teel en versorging van diere, vis en reptiele en die bou van wonings en strukture vir landboudoeleindes; (e) "vervoer in landbou" die vervoer van arbeid na en vanaf die plek waar landbou beoefen word, landbouprodukte op en vanaf sodanige plek tot by die persele van die koper of ander plek waar die goedere bemark of waar die goedere verwerk sal word deur iemand anders as die persoon wat landbou beoefen, watter bestemming ook al eerste is, en die vervoer van landboubenodighede op sodanige plek en vanaf die leweransier se oplaai-punt na sodanige plek. By die toepassing van hierdie omskrywing word 'n voertuig geag gebruik te word vir vervoer in landbou wanneer dit op, of die heen- of terugreis hoofsaaklik landbouprodukte of -benodighede vervoer en sluit in gehuurde dienste verrig namens die persoon wat landbou beoefen; (f) "bosbou" die wetenskap, kuns en funksie van die plant en onderhoud van plantasies, met inbegrip van die kweek van saad, saailinge en boompies, die bewerking van grond, die beskerming van plantasies teen brand en die vel van bome deur die persoon wat bosbou beoefen en die bou en instandhouding van paaie in die plantasie; (g) "vervoer in bosbou" die vervoer van primêre bosbouprodukte byvoorbeeld, saad, saailinge en boompies, bas en gevelde bome in die plantasie, vanaf die plantasie na die saagmeul of na enige ander aflaaipunt; vervoer van bosboubenodighede, byvoorbeeld, spuitmiddels, implemente, saad, saailinge en boompies, in die plantasie en vanaf die leweransier se oplaai-punt na die plantasie en die vervoer van werknemers vir bosboubedrywighede. By die toepassing van hierdie omskrywing word 'n voertuig geag gebruik te word vir vervoer in bosbou wanneer dit op of die heen- of terugreis hoofsaaklik bosbouprodukte of -benodighede vervoer en sluit in gehuurde dienste verrig namens die persoon wat bosbou beoefen.		

I TERUGBETALINGS ITEM	TARIEF= POS	KODE	T. S.	II BESKRYWING	III MATE VAN TERUGBETA- LING	IV ANNO- TASIES
540.00				2. Vir die doeleindes van 'n terugbetaling van doeanereg ingevolge terugbetalingitem 533.01 is die bepaling van Opmerking 1 by kortingitem 609.00 <u>mutatis mutandis</u> van toepassing." Deur die Opmerkings deur die volgende te vervang: "OPMERKINGS: 1. By hierdie item beteken "pad", "landbou", "landbouprodukte", "landboubenodigdhede", "vervoer in landbou", "bosbou", "vervoer in bosbou", "mynbou" en "konstruksie" dieselfde as die betekenis daarvan toegewys in die Opmerkings by terugbetalingitem 533.00 van hierdie Bylae. 2. Vir die doeleindes van 'n terugbetaling van brandstofheffing ingevolge terugbetalingitem 540.02 is die bepaling van Opmerking 1 by kortingitem 609.00 <u>mutatis mutandis</u> van toepassing."		

No. R. 286

23 February 1996

CUSTOMS AND EXCISE ACT, 1964
AMENDMENT OF SCHEDULE No. 6 (No. 6/82)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 6 to the said Act is hereby amended, with retrospective effect to 1 January 1996, to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TATIONS
603.01				By the substitution for the heading to rebate item 603.01 of the following:			
"603.01				Excisable goods exported from a customs and excise warehouse (including supply as stores for foreign-going ships or aircraft but excluding fishing vessels provided for in rebate item 603.02):"			
				By the substitution for tariff item 104.20 of the following:			
".15	104.20	02.00	54	Spirits, or spirits used in the manufacture of spirituous beverages exported under this item.	Full duty	Full duty"	
604.00				By the substitution for the Notes of the following:			
				"NOTES:			
				1. Any person entitled to a rebate of duty under the provisions of this item shall furnish to the Controller on demand, full particulars of the receipt, nature and use of any goods obtained under the provisions of the said item.			
				2. Use or supply of any goods specified in item 604.00 by or to any person under rebate of duty shall be subject to such conditions, declarations, undertakings or returns as the Commissioner may decide.			
				3. The Commissioner may permit any wine-growers' co-operative agricultural society to remove from the customs and excise warehouse (including any special warehouse) of such society, on one bill of entry, such quantities of the goods specified in item 604.03 and 604.04 as he may decide, to any room or place approved by him for supply to persons entitled to rebate of duty under the provisions of the said items on such conditions as he may decide.			
				4. No wine-growers' co-operative agricultural society or holder of a wine-growers' licence or producer of any goods specified in item 604.00 shall			

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TATIONS
605.00				supply such goods to any person not entitled to obtain such goods under rebate of duty or in excess of the quantity specified in the said item unless the duty thereon has been paid and no person shall accept any such goods to which he is not entitled from any such society, holder or producer, unless the duty thereon has been paid with the permission of the Controller. 5. No person who is entitled to obtain or use any goods under rebate of duty under the provisions of item 604.00 shall sell or dispose of any such goods to any other person, whether or not the latter person is entitled to a rebate of duty under the said item and no person shall accept any such goods so obtained under rebate of duty. 6. In no circumstances shall the total quantity rebated under items 604.01, 604.02 and 604.03 for any person exceed 40 litres absolute alcohol per calendar year. 7. For the purposes of item 604.03 "member" means - (a) a person to whom a permit, contemplated in section 2(1)(a) or in section 15(1) of the Wine and Spirit Control Act, 1970 (Act No. 47 of 1970) has been issued but does not include - (i) such person who resides in the same dwelling as a person to whom such a permit has been issued; (ii) any body instituted in terms of law, including a hospital, a scientific institution and a college, school or other educational institution; (iii) the liquidator or curator of an insolvent or deceased estate; (b) in the case of a company or a close corporation to whom a permit has thus been issued, all the directors or members of the company or close corporation, as the case may be, jointly" By the insertion after the heading to rebate item 605.00 of the following: "NOTES: 1. The provisions of the notes to Part 1 of Schedule No. 5 shall <u>mutatis mutandis</u> apply to any refund of duty under the provisions of rebate item 605.00."			

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TIONS
606.00				By the substitution for the heading to rebate item 606.00 of the following: "EXCISABLE GOODS FOR USE IN THE MANUFACTURE OF OTHER GOODS IN A CUSTOMS AND EXCISE MANUFACTURING WAREHOUSE OR SPECIAL CUSTOMS AND EXCISE MANUFACTURING WAREHOUSE." By insertion after the heading of the following: "NOTES: 1. The provisions of the rules for section 75 shall <u>mutatis mutandis</u> apply in respect of any spirits entered under rebate item 606.04.20 to the extent the Commissioner may require. 2. For the purposes of rebate item 606.04.25 - (a) the strength of wine spirits used for fortification purposes shall not be lower than 60 per cent alcohol by volume; (b) except with the permission of the Commissioner, the quantity of unfortified wine which may be fortified in any one operation, and in any particular vessel, shall not be less than 1 140 litres; (c) no spirits forwarded under a certificate of removal to a winegrower for fortification purposes may be kept unused in the winegrower's customs and excise warehouse for a period longer than 30 days without the permission, in writing, of the Commissioner. (d) a manufacturer shall give the Controller notice of any intended fortification of unfortified wine and except with the permission of the Controller no fortification shall take place without the supervision of an officer; and (e) immediately after completion of such fortification the manufacturer shall render to the Controller a return in the form approved by the Commissioner."			
607.00				By the insertion after the heading to rebate item 607.00 of the following: "NOTES: 1. The provisions of the rules for section 75 shall <u>mutatis mutandis</u> apply in respect of any goods specified in and entered under rebate items 607.04.03 (01.00), 607.04.05 (01.00), 607.04.07, 607.04.10 (02.00) to 607.04.10 (15.00), 607.04.15, 607.04.18, 607.04.20 (01.00), 607.05.10 and 607.05.20 to the extent the Commissioner may require.			

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TIONS
				2. A rebate user shall give the Controller notice as he may require of any intended use of goods received under rebate of duty for any purpose specified in rebate items 607.04.03 (01.00), 607.04.05 (01.00), 607.04.07, 607.04.10 (01.00), 607.04.10 (02.00) to 607.04.10 (15.00), 607.04.15, 607.04.18, 607.04.20 (01.00), 607.05.10 and 607.05.20 and except with the permission of the Controller such goods shall be so used under the supervision of an officer. 3. On completion of each manufacturing or other operation or process specified in rebate items 607.04.05 (01.00), 607.04.07, 607.04.10 (01.00), 607.04.10 (02.00) to 607.04.10 (15.00), 607.04.18, 607.04.20 (01.00), 607.05.10 and 607.05.20 the rebate user shall render a return to the Controller in a form approved by the Commissioner. 4. For the purposes of item rebate 607.04.03 (01.00) - (a) the quantity of fortified or unfortified still wine entered under rebate of duty for conversion into vinegar during any single operation, shall, except with the permission of the Commissioner, be not less than 1 140 litres; and (b) any such conversion shall take place on the registered premises of the registrant by the addition of vinegar to such extent that the acidity of the mixture shall be equivalent to at least 1 per cent by mass of acetic acid. 5. For the purposes of rebate item 607.04.05 (02.00) fortified still wine entered under rebate of duty under this provision shall not be used in the preservation or sweetening of unfortified still wine if the alcoholic strength of such unfortified still wine is thereby increased by more than 0.6 per cent of alcohol by volume at 20°C per annum and if so used such fortified wine shall be dutiable separately at the appropriate rate of duty applicable to such fortified wine and the total quantity of such blended wine shall be dutiable in accordance with the provisions of Additional Note 2 to Chapter 22 of Part 1 of Schedule No. 1. 6. The provisions of Note 5 shall <u>mutatis mutandis</u> apply in respect of any fortified still fermented apple, pear and orange beverages used in terms of the provisions of rebate item 607.04.07. 7. For the purposes of rebate item 607.04.10 (01.00)- (a) no spirits shall be methylated except by the licensee of a customs and excise manufacturing warehouse approved for the manufacture of spirits;			

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TIONS
				(b) the methylation of spirits shall take place only in a room or place which has been specially set aside in such manufacturing warehouse for that purpose only and which has been approved by the Controller for such purpose; (c) the quantity of spirits entered or used for methylation during any single operation shall not, except with the permission of the Commissioner, be less than 1 140 litres; (d) the methylation of spirits shall be restricted to the following: (i) non-coloured methylated spirits, which shall mean spirits methylated in accordance with paragraph (e) below; and (ii) mineralised methylated spirits which shall mean non-coloured methylated spirits to which has been added not less than 0,15 grams of powdered aniline dye (methyl violet) and 2 grams benzyl diethyl (2,6-xylyl carbamoyl) methyl ammonium benzoate for every 100 litres of non-coloured methylated spirits and not less than 0,375 per cent by volume mineral naphtha of a relative density of not less than 0,796 at 20° Celsius; (e) the Commissioner may authorise methylated spirits to be prepared according to anyone of the following formulae: <u>Litres</u> (i) Spirits 95,0 Crude methyl alcohol 3,5 or methanol Pyridine bases 1,5 <u>100,0</u> (ii) Spirits 97,5 Simonsen oil 1,0 Pyridine bases 1,5 <u>100,0</u> (iii) Spirits 95,0 Normal butyl alcohol 4,0 or isobutyl alcohol Pyridine bases 1,0 <u>100,0</u> (iv) Spirits 95,0 Normal butyl alcohol 3,5 or isobutyl alcohol Petrol (excluding petrol manufactured in terms of item 606.00 of Schedule No. 6 <u>100,0</u>			

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TIONS
				(v) Spirits 95,0 Normal butyl alcohol 3,5 or isobutyl alcohol Benzine 1,5 <u>100.0</u> Provided that, in the case of non-coloured methylated spirits required for hospital or laboratory purposes, the pyridine bases may, with the permission of the Commissioner, be omitted from formula (i) or (iii): Provided further that in such cases the quantity of crude methyl alcohol, methanol, normal butyl alcohol or isobutyl alcohol shall be increased to 6,0 per cent; (f) any crude methyl alcohol or methanol referred to in paragraph (e) above shall be of a strength of not less than 91,4 per cent alcohol by volume, and all the other substances referred to in the said paragraph shall conform to such specifications as the Commissioner may determine; (g) before a licensee carries out any process of methylation, he shall submit samples of such substances prescribed in paragraph (e) above for use in the methylation of spirits as may be specified by the Commissioner to any government chemical laboratory, and, unless a certificate is received from such laboratory to the effect that the substances are of the standards approved by the Commissioner, they shall not be used for the purpose of methylation; (h) any substances referred to in paragraph (f) shall be kept in vessels secured in such manner as the Commissioner may require; (i) every vessel in which a licensee stores, keeps or supplies non-coloured methylated spirits or mineralised methylated spirits shall be labelled in such a manner as to show that the methylated spirits are non-coloured or mineralised as the case may be; (j) the licensee shall— (i) keep stock accounts in a form approved by the Commissioner in which he or she shall enter daily, separately, the particulars of non-coloured and mineralised methylated spirits manufactured by him or her and removed from stock; and			

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TIONS
				(ii) complete invoices, consecutively numbered and in duplicate sets, in respect of all disposals of methylated spirits; (k) such stock accounts and the duplicates of such invoices shall be made available to the Controller on demand; (l) the licensee may supply methylated spirits only to an authorised dealer or a person registered with the Commissioner or an agent or master of a ship for export and non-coloured methylated spirits only to a person registered with the Commissioner; (m) the Commissioner may, on application on the prescribed form, for any purpose approved by him or her, authorise and register any person to obtain non-coloured methylated spirits from a licensee or a specially registered person; (n) no licensee or person registered in terms of paragraph (m) mentioned above shall, apart from propellants approved by the Commissioner, add to or mix with methylated spirits any essential oil, flavouring matter or any other substance: Provided that the Commissioner may allow a licensee to add a quantity of resin, not being less than 85 grammes per 4,5 litres, to non-coloured methylated spirits for supply to furniture-makers for polishing furniture and such furniture-makers shall be exempted from the requirements of paragraph (m). 8. For the purposes of rebate item 607.04.10 (02.00) - (a) any applicant for approval to manufacture goods under the provisions of this item shall submit to the Commissioner, through the Controller, full particulars of any process in the manufacture of any preparation to be manufactured by him or her, including the formula, in quadruplicate, and if he or she intends using mixtures of oils and ingredients the composition of which is unknown to him or her, the formula shall be accompanied by an analytical report signed by a competent analyst;			

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TIONS
				(b) medicinal preparations shall be manufactured under the personal supervision of a registered chemist and druggist, and on the premises of a duly licensed chemist and druggist; (c) except with the permission of the Commissioner- (i) the registrant shall apply to the Controller for permission on a form approved by the Commissioner for the removal of spirits to him or her; (ii) the registrant shall not be permitted to remove spirits in quantities of less than 110 litres of alcohol by volume at 20°C; and (iii) no rebate of duty shall be allowed if the quantity of any particular preparation made during any one operation is less than 4,5 litres, or the quantity of spirits used during any one operation is less than 110 litres of alcohol by volume at 20°C; (d) no spirits may be kept unused by the registrant for a period longer than 120 days without the permission, in writing, of the Controller; (e) if completed preparations manufactured with spirits under rebate of duty does not conform to the registered formula, the manufacturer shall be liable for the duty due on spirits used therein; and (f) when the operations of any manufacturer who uses spirits in large quantities are continuous, the Commissioner may, notwithstanding anything to the contrary contained in this note, make such special arrangements as may be required by the particular nature of the operations. 9. The provisions of Note 8 shall <u>mutatis mutandis</u> apply in respect of any spirits used under the provisions of rebate item 607.04.10 (03.00) to 607.04.10(15.00) and 607.04.20 (01.00).			

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TIONS
608.00				10. In respect of wine spirits entered in terms of the provisions of rebate item 607.04.15 for use in the topping or preservation of unfortified still wine, the provisions of Note 5 shall <u>mutatis mutandis</u> apply. 11. The provisions of Note 5 shall <u>mutatis mutandis</u> apply in respect of any spirits used in terms of the provisions of rebate item 607.04.18. 12. Any manufactured tobacco specified in rebate item 607.04.25 (01.00) shall be thoroughly mixed with not less than 2 per cent flowers of sulphur or any other substance approved by the Commissioner. 13. The provisions of Note 8 shall <u>mutatis mutandis</u> apply in respect of any goods specified in and entered under the provisions of rebate item 607.05.10. 14. The provisions of Note 8 shall <u>mutatis mutandis</u> apply in respect of base oils specified in and entered under the provisions of rebate item 607.05.20." By the insertion after the heading of rebate item 608.00 of the following: "NOTES: 1. For the purposes of rebate item 608.01 - (a) any application by a licensee of a customs and excise warehouse for a rebate of duty in terms of the provisions of rebate item 608.01 shall be submitted to the Controller on a form approved by the Commissioner, supported by such evidence of the loss and the circumstances in which such loss occurred as the Commissioner may require in each case; (b) any individual loss or deficiency of any particular type shall not exceed such percentage of the goods in which such loss or deficiency occurred as the Commissioner may determine in respect of such excisable goods and in such circumstances as may be specified by him or her; and (c) any excisable goods in the process of manufacture which are removed from one customs and excise manufacturing warehouse to another such warehouse for the purpose of further manufacturing thereof shall be deemed to be in the customs and excise manufacturing warehouse to which such goods are in transit, provided such goods are removed in a manner and in containers approved by the Commissioner.			

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TIONS
				2. No application to destroy goods in a customs and excise warehouse under the provisions of rebate item 608.02 shall be considered by the Commissioner unless such goods have no commercial value or unless the disposal of such goods will be detrimental to the applicant or the industry in question. 3. The provisions of Note 2 to rebate item 412.00 shall <u>mutatis mutandis</u> apply to any offer to abandon or application to destroy any goods under the provisions of item 608.02: Provided that the Commissioner may exempt any offer of abandonment in respect of such goods of any class or kind or any goods to which such circumstances apply as he or she may specify from any of the conditions of the said Note 2. 4. For the purposes of rebate item 608.03 any - (a) loss in respect of which a rebate of duty is claimed shall be proved to the Commissioner; and (b) application for a rebate of duty shall be submitted to the Controller on a form approved by the Commissioner and shall be accompanied by such documents as the Commissioner may specify. 5. No licensee shall be entitled to a rebate of duty under the provisions of item 608.04 unless such loss to which an application for rebate relates is proved and in addition to evidence relating to the provisions specified in paragraphs (i), (ii) and (iii) of the item further evidence is submitted with such application that - (a) all possible steps were taken to ensure that the containers and equipment including those for the conveyance of goods in bond are in a good condition; (b) any loss in transit by road was immediately reported to the nearest Controller and the South African Police Services or a traffic officer and that steps to repair the containers in question or to prevent further loss were taken immediately; (c) any loss in transit by rail was immediately reported to the nearest Controller and South African Police Services; and			

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TIONS
608.01				(d) any loss in a licensed ware= house was immediately repor= ted to the Controller and if the Controller is not available such loss was repor= ted without delay to the South African Police Services and that steps to prevent further loss were immediately taken."			
"608.01	000.00	01.00	05	By the substitution of rebate item 608.01 of the following: Excisable goods in a customs and excise manufacturing warehouse and excisable goods in the process of manufacture and removed from one customs and excise manufacturing ware= house to another such warehouse, unavoidably lost in manufacturing processes or through working, pumping, handling and similar causes or through natural causes, to such extent as the Commissioner deems reasonable, subject to production of proof that such goods did not enter into consumption.	Full duty"		
608.02				By the substitution of the preamble to rebate item 608.02 of the following: "Excisable goods and spirituous beverages unconditionally abandoned to the Office by the owner or destroyed with the permission of the Commissioner: Provided that the Commissioner may decline to accept abandonment or grant permission for destruction:"			
608.04				By the substitution of rebate item 608.04 of the following:			
"608.04	000.00	01.00	07	Goods in respect of which the excise duty, together with the fuel levy where applicable, amounts to not less than R2 500, proved to have been lost, destroyed or damaged, on any single occasion in circumstances of vis major or in such other circumstances as the Commissioner deems exceptional while such goods are - (a) in any customs and excise ware= house or in any appointed transit shed or under the control of the office; (b) being removed with deferment of payment of duty or under rebate of duty from a place in the Republic to any other place in terms of the provisions of this act; or (c) being stored in any rebate storeroom; PROVIDED- (i) no compensation in respect of the excise duty or fuel levy on such goods has been paid or is due to the owner by any other person;	Full duty"		

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TIONS
609.00				(ii) such loss, destruction or damage was not due to any negligence or fraud on the part of the person liable for the duty; and (iii) such goods did not enter into consumption. By the insertion after the heading of the following: "NOTES: 1.(1) For the purposes of rebate item 609.05.10 - (a) any application for a refund of excise duty on distillate fuel shall be submitted by the registered user of such fuel to the Commissioner on a form DA 81 together with the original invoice furnished by the seller and any other supporting evidence as the Commissioner may require in each case; (b) any such invoice shall be numbered and dated by the seller and shall reflect the business address of the seller and the registered address of the user, the quantity and price of such fuel and registration letters and numbers of the vehicle when such fuel is supplied as fuel into the tank of any vehicle: Provided that the Commissioner may accept any other invoice as may in each case be approved by him or her; and (c) copies of such invoices shall be kept by the seller for a period of at least three years from the date of sale and be made available to any officer on demand. (2) No application for a refund shall be considered if the quantity of distillate fuel to which such application relates, is less than ten litres. (3) Any user of distillate fuel who is registered in terms of section 75(4A) shall, in a form approved by the Commissioner - (a) keep record of all purchases or receipts of distillate fuel, reflecting - (i) the number and date of each invoice relating to such purchases or receipts; (ii) the quantities purchased or received;			

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TIONS
				(iii) the sellers name and business address; and (iv) the date of purchase or receipt; (b) keep record, in respect of use or disposal of distillate fuel, reflecting - (i) the date or period of use or disposal; (ii) the quantity and purpose of use or disposal; (iii) the registration particulars of the vehicle and type of machinery or equipment in which such fuel was used; and such records shall be kept for a period of at least three years from the date of use or disposal of such fuel or the date of application for a refund, whichever occurs last, and be made available to any officer on demand. (4) Any user of distillate fuel who has been granted a provisional refund of duty or fuel levy shall, for the purposes of section 75(1A), furnish the Commissioner with a declaration at such times and in such form as the Commissioner may require in respect of actual use of such fuel. 2. For the purposes of rebate item 609.22.10 - (a) no refund of duty shall be paid under the provisions of item 609.22.10 except to the manufacturer of such goods; (b) a manufacturer who desires to avail himself or herself of the concession provided for in item 609.22.10 shall apply to the Commissioner, through the Controller, in detailed particulars of the class or kind of goods he or she intends withdrawing from the market and of the steps he or she intends taking to keep such goods intact and entirely separate from any other goods or materials in his or her customs and excise manufacturing warehouse which steps shall be approved by the Controller before such goods are returned; (c) if the Commissioner approves the application any goods returned shall be - (i) kept intact and entirely separate from any other goods or materials until they have been examined and identified by an officer; and			

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TATIONS
NOTES: Part 2				(ii) unpacked and transferred to and mixed with stocks of materials for processing, under the supervision of an officer; (d) the manufacturer of the goods returned shall produce evidence to the Commissioner of the duty paid on the goods so returned and if such evidence cannot be produced the Commissioner may determine an amount which shall be deemed to be the duty paid on such goods; and (e) charges at the prescribed rate shall be paid by the manufacturer in question for the special attendance of the Controller in terms of the provisions of paragraph (c)." By the substitution of Note 1 to Part 2 of the following: "1. The excisable goods specified in Column IV of this Part may, subject to the provisions of section 75, be entered under rebate of the excise duty specified in Section B of Part 2 of Schedule No. 1 in respect of such goods at the time of entry for home consumption thereof, to the extent stated in Column V of this Part, or a refund of the excise duty paid on such goods under any item in Section B of Part 2 of Schedule No. 1, to the extent stated in Column VI of this Part, shall be paid in respect of such goods on compliance with the provisions of the item in this Part in which such goods are specified and of any notes applicable in respect of such item."			
	610.14			By the substitution for rebate item 610.14 of the following:			
"610.14	126.05	01.05	55	One motor vehicle of a class or type approved by the Commissioner, adapted to the extent the Commissioner may prescribe or may deem sufficient for driving by a permanently physically disabled person or for the transport of a permanent physically disabled person who is medically declared to be a quadriplegic, subject to a permit issued by the Commissioner and any additional conditions which he or she may impose in each case - (i) provided such vehicle is not offered, advertised, lent, hired, leased, pledged, given away, exchanged, sold or otherwise disposed of without the prior consent of the Commissioner within a period of 3 years from the date of entry under this item: Provided that any one of the foregoing acts with such vehicle within a period of 2 years from the date of entry in terms of this item shall render such vehicle liable to the payment of duty; and	Full duty"		

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TIONS
615.00				(ii) a rebate of duty in terms of this item shall be allowed only once per person during a period of 3 years or such shorter period as the Commissioner may in exceptional circumstances decide. By the insertion after the heading to rebate item 615.00 of the following: "NOTES: 1. The provisions of Note 2 to rebate item 412.00 shall <u>mutatis mutandis</u> apply to any goods abandoned or destroyed in terms of rebate item 615.01."			
615.01				By the substitution of the preamble to rebate item 615.01 of the following: "Excisable goods unconditionally abandoned to the Office by the owner or destroyed with the permission of the Commissioner: Provided that the Commissioner may decline to accept abandonment or grant permission for destruction:"			
615.02 and 615.03				By the substitution for rebate items 615.02 and 615.03 of the following:			
"615.02	000.00	01.00	02	Excisable goods unavoidably lost in a special customs and excise warehouse in manufacturing processes or through working, pumping, handling and similar causes or through natural causes, to such extent as the Commissioner deems reasonable, subject to production of proof that such goods did not enter into consumption.	Full duty	Full duty	
"615.03	000.00	01.00	00	Excisable goods in respect of which the excise duty amount to not less than R2 500, proved to have been lost, destroyed or damaged, on any single occasion in circumstances of <u>vis major</u> or in such other circumstances as the Commissioner deems exceptional, while such goods are in any customs and excise warehouse or are being removed in bond or are under the control of the Commissioner provided no compensation in respect of excise duty on such goods has been paid or is due to the owner by any other person and such loss, destruction or damage was not due to any negligence or fraud on the part of the person liable for the duty and that such goods did not enter into consumption.	Full duty	Full duty"	

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TIONS
NOTES:				By the substitution for Note 1 to Part 3 of the following: "1. A refund of fuel levy paid under Part 5 of Schedule No. 1 in respect of any goods specified in Column IV of this Schedule shall, subject to the provisions of section 75, be allowed to the extent stated in Column VI of this Part, in respect of such goods on compliance with the provisions of the item in this Part in which such goods are specified and of any notes applicable in respect of such item." By the substitution for Note 7 to Part 3 of the following: "7. A rebate of fuel levy specified in Part 5 of Schedule No. 1 shall, subject to the provisions of section 75, be allowed to the extent stated in Column V of rebate items 640.04 and 640.05, on compliance with the provisions of the rebate items and any notes applicable thereto."			
640.00				By the substitution for the Note of the following: NOTES: 1. In this item "road", "agriculture", "agricultural products", "agricultural requirements", "transport in agriculture", "forestry", "transport in forestry" and "mining" and "construction" shall have the meaning assigned thereto in the Notes to rebate item 609.05 of this Schedule. 2. For the purposes of a refund of fuel levy in terms of rebate item 640.03 the provisions of Note 1 under rebate item 609.00 shall <u>mutatis mutandis</u> apply."			
640.08				By the substitution for rebate item 640.08 of the following:			
"640.08	000.00	01.00	07	Goods in respect of which the fuel levy, together with the excise duty where applicable, amounts to not less than R2 500, proved to have been lost, destroyed or damaged, on any single occasion in circumstances of <u>vis major</u> or in such other circumstances as the Commissioner deems exceptional while such goods are - (a) in any customs and excise warehouse or in any appointed transit shed or under the control of the office; (b) being removed with deferment of payment of duty or under rebate of duty from a place in the Republic to any other place in terms of the provisions of this Act; or	Full Fuel levy"		

I REBATE ITEM	II TARIFF ITEM	III CODE	C. D.	IV DESCRIPTION	V EXTENT OF REBATE	VI EXTENT OF REFUND	ANNO- TIONS
				(c) being stored in any rebate storeroom,			
				PROVIDED -			
				(i) no compensation in respect of the excise duty or fuel levy on such goods has been paid or is due to the owner by any other person;			
				(ii) such loss, destruction or damage was not due to any negligence or fraud on the part of the person liable for the duty; and			
				(iii) such goods did not enter into consumption.			

No. R. 286

23 Februarie 1996

DOEANE- EN AKSYNSWET, 1964
WYSIGING VAN BYLAE No. 6 (No. 6/82)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 6 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 1 Januarie 1996, in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
603.01				Deur die opskrif by kortingitem 603.01 deur die volgende te vervang:			
"603.01				Synsbare goedere uit 'n doeane-en-aksynspakhuis uitgevoer (met inbegrip van verskaffing as voorrade vir skepe of vliegtuie op vreemde vaart of vlug maar uitgesonderd visvangvaartuie genoem in kortingitem 603.02):"			
"15	104.20	01.00	54	Deur tariefitem 104.20 deur die volgende te vervang: Spiritus, of spiritus gebruik by die vervaardiging van spiritusdranke wat kragtens hierdie item uitgevoer word	Volle reg	Volle reg"	
604.00				Deur die Opmerkings deur die volgende te vervang: "OPMERKINGS: 1. Enigiemand wat op 'n korting op reg kragtens die bepalinge van hierdie item geregtig is, moet aan die Kontroleur, op versoek, volledige besonderhede van die ontvangs, aard en gebruik van enige goedere kragtens die bepalinge van die bedoelde item verkry, verskaf. 2. Die gebruik of verskaffing van enige in item 604.00 vermelde goedere deur of aan enigiemand met korting op reg, is onderworpe aan die voorwaardes, verklarings, verbintenisse of opgawes wat die Kommissaris verlang. 3. Die Kommissaris kan enige koöperatiewe landbouvereniging van wynbouers toelaat om uit die doeane-en-aksynspakhuis (met inbegrip van enige spesiale pakhuis) van sodanige vereniging, op een klaringsbrief, die hoeveelhede van die in item 604.03 en 604.04 vermelde goedere wat hy bepaal, na enige deur hom goedgekeurde kamer of plek te verwyder vir die verskaffing op die voorwaardes wat hy bepaal, aan persone wat kragtens die bepalinge van die bedoelde items met korting op reg geregtig is.			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
				4. Geen koöperatiewe landbouvereniging van wynbouers of 'n houer van 'n wynbouery lisensie of produseerder van enige in item 604.00 vermeldde goedere mag sodanige goedere aan enige persoon verskaf wat nie geregtig is om sodanige goedere met korting op reg of meer as die in die bedoelde item vermeldde hoeveelhede te verkry nie, tensy die reg daarop betaal is en niemand mag enige sodanige goedere waarop hy nie geregtig is nie van enige sodanige vereniging, houer of produseerder aanvaar nie, tensy die reg daarop met die toestemming van die Kontroleur betaal is. 5. Niemand wat geregtig is om goedere met korting op reg kragtens die bepalings van item 604.00 te verkry of te gebruik mag enige sodanige goedere aan enige ander persoon verkoop of vervreem nie, hetsy die laasgenoemde persoon op 'n korting op reg kragtens die bedoelde item geregtig is al dan nie, en niemand mag enige goedere aldus met korting op reg verkry, aanvaar nie. 6. In geen omstandighede mag die totale hoeveelheid wat gekort word onder item 604.01, 604.02 en 604.03 vir enige persoon 40 liter absolute alkohol per kalenderjaar te bowe gaan nie. 7. By die toepassing van item 604.03 beteken "lid" - (a) iemand aan wie 'n permit in artikel 2(1)(a) of in artikel 15(1) van die Wet op Beheer oor Wyn en Spiritus, 1970 (Wet No. 47 van 1970) bedoel, uitgereik is maar nie ook nie - (i) so iemand wat by iemand aan wie so 'n permit uitgereik is in dieselfde woning inwoon; (ii) enige liggaam wat by of kragtens wet ingestel is met inbegrip van 'n hospitaal, wetenskaplike instelling en 'n kollege, skool of ander opvoedkundige inrigting; (iii) die likwidateur of kurator van 'n insolvente of bestorwe boedel; (b) in die geval van 'n maatskappy of 'n beslote korporasie aan wie 'n permit aldus uitgereik is, al die direkteure of lede van die maatskappy of beslote korporasie na gelang van die geval, gesamentlik.			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO= SIES
605.00				Deur na die opskrif by kortingitem 605.00 die volgende in te voeg: "OPMERKING: 00.4.23 1. Die bepalings van die Opmerkings by Deel 1 van Bylae No. 5 is <u>mutatis mutandis</u> van toepassing op enige terugbetaling van reg onder die bepalings van kortingitem 605.00."			
606.00				Deur die opskrif by kortingitem 606.00 deur die volgende te vervang: "SYNSBARE GOEDERE VIR GEBRUIK BY DIE VERVAARDIGING VAN ANDER GOEDERE IN 'N DOEANE-EN-AKSYNSVERVAARDIGINGSPAKHUIS OF SPECIALE DOEANE-EN-AKSYNSVERVAARDIGINGSPAKHUIS" Deur na die opskrif die volgende in te voeg: "OPMERKINGS: 1. Die bepalings van die reëls vir artikel 75 is <u>mutatis mutandis</u> van toepassing ten opsigte van enige spiritus kragtens kortingitem 606.04.20 geklaar in die mate wat die Kommissaris vereis. 2. Vir die doeleindes van kortingitem 606.04.25 - (a) moet die sterkte van wynspiritus vir fortifiseringdoeleindes gebruik, nie laer as 60 persent alkohol volgens volume wees nie; (b) behalwe met die toestemming van die Kommissaris, moet die hoeveelheid ongefortifiseerde wyn wat gedurende 'n enkele operasie gefortifiseer mag word, en in enige besondere bevatter, nie minder as 140 liter wees nie; (c) mag geen spiritus onder 'n sertifikaat van verwydering aan 'n wynbouer vir fortifiseringdoeleindes versend, ongebruik in die doeane-en-aksynspakhuis van 'n wynbouer vir 'n tydperk langer as 30 dae sonder die skriftelike toestemming van die Kommissaris gehou word nie; (d) moet 'n vervaardiger die Kontroleur kennis gee van enige voorgenome fortifisering van ongefortifiseerde wyn en behalwe met die toestemming van die Kontroleur mag geen fortifisering sonder die toesig van 'n beampte plaasvind nie; en (e) moet die vervaardiger onmiddellik na afloop van sodanige fortifikasie 'n opgawe in die vorm deur die Kommissaris goedgekeur aan die Kontroleur voorle."			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
607.00				Deur na die opskrif die volgende in te voeg: "OPMERKINGS: - Die bepalings van die reëls vir artikel 75 is <u>mutatis mutandis</u> van toepassing ten opsigte van enige goedere vermeld in en geklaar kragtens kortingitems 607.04.03 (01.00), 607.04.05 (01.00), 607.04.07, 607.04.10 (02.00) tot 607.04.10 (15.00), 607.04.15, 607.04.18, 607.04.20 (01.00), 607.05.10 en 607.05.20 tot die mate wat die Kommissaris mag verlang. 'n Kortingsgebruiker moet die Kontroleur, soos hy mag verlang, in kennis stel van enige voorgenome gebruik van goedere onder korting van reg ontvang vir enige doel vermeld in kortingitems 607.04.03 (01.00), 607.04.05 (01.00), 607.04.07, 607.04.10 (01.00), 607.04.10 (02.00) tot 607.04.10 (15.00), 607.04.15, 607.04.18, 607.04.20 (01.00), 607.05.10 en 607.05.20 en behalwe met die toestemming van die Kontroleur moet sodanige goedere as sulks onder die toesig van 'n beampte gebruik word. - Na afloop van elke vervaardigings- of ander werksaamheid of proses vermeld in kortingitems 607.04.05 (01.00), 607.04.07, 607.04.10 (01.00), 607.04.10 (02.00) tot 607.04.10 (15.00), 607.04.18, 607.04.20 (01.00), 607.05.10 en 607.05.20 moet die kortingsgebruiker aan die Kontroleur 'n opgawe in 'n vorm deur die Kommissaris goedgekeur, verstrek. - Vir die doeleindes van kortingitem 607.04.03 (01.00) moet - - die hoeveelheid van gefortifiseerde of ongefortifiseerde nie-vonkelende wyn met korting op reg geklaar vir die omskepping in asyn gedurende 'n enkele werksaamheid, behalwe met die toestemming van die Kommissaris, nie minder as 1 140 liter wees nie; en - enige sodanige omskepping op die geregistreerde perseel van die geregistreerde plaasvind deur die byvoeging van asyn in so 'n mate gedenatureer dat die suurgehalte van die mengsel gelykwaardig is aan minstens 1 persent, volgens massa van asynsuur.			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
				5. Vir die doeleindes van kortingitem 607.04.05 (02.00) moet gefortifiseerde nie-vonkelende wyn geklaar met korting op reg kragtens hierdie bepaling, nie gebruik word nie by die preserving of versoeting van ongefortifiseerde nie-vonkelende wyn indien die alkoholsterkte van sodanige ongefortifiseerde nie-vonkelende wyn daardeur met meer as 0,6 persent van alkohol volgens volume by 20°C per jaar verhoog word en indien so gebruik, is sodanige gefortifiseerde wyn afsonderlik belasbaar teen die toepaslike skaal van reg op sodanige gefortifiseerde wyn van toepassing en die totale hoeveelheid van sodanige vermengde wyn is ooreenkomstig die bepalings van Addisionele Opmerking 2 by Hoofstuk 22 van Deel 1 van Bylae No. 1 belasbaar. 6. Die bepalings van Opmerking 5 is <u>mutatis mutandis</u> van toepassing ten opsigte van enige gefortifiseerde nie-vonkelende gegiste appel-, peer- en lemoen-dranke kragtens die bepalings van kortingitem 607.04.07 gebruik. 7. Vir die doeleindes van kortingitem 607.04.10 (01.00) - (a) mag geen spiritus gemetileer word behalwe deur die lisensiehouer van 'n doeane-en-aksyns-vervaardigingspakhuis, wat vir die vervaardiging van spiritus goedgekeur is nie; (b) mag die metilering van spiritus slegs in 'n kamer of plek wat spesiaal vir daardie doel in sodanige vervaardigingspakhuis afgesonder en deur die Kontroleur vir sodanige doel goedgekeur is, plaasvind; (c) mag die hoeveelheid spiritus gedurende enige enkele operasie vir die metilering geklaar of gebruik, behalwe met die toestemming van die Kommissaris, nie minder as 1 140 liter wees nie; (d) word die metilering van spiritus tot onderstaande beperk - (i) ongekleurde brandspiritus wat beteken spiritus wat ooreenkomstig paragraaf (e) hieronder gemetileer is;			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
				(ii) gemineraliseerde brand- spiritus, wat beteken ongekleurde brandspiritus waarby minstens 0,15 gram verpoeierde analienkleur= stof (metielviolet) en 2 gram bensieldeiëtiel (2,6-xiëlielkarbamoiël) metiel ammoniumbensoaat vir elke 100 liter ongekleurde brandspiritus en minstens 0.375 persent per volume mineraalnafta van 'n relatiewe digtheid van minstens 0,796 by 20°Celsius gevoeg is. (e) kan die Kommissaris magtiging verleen dat brandspiritus volgens enigeen van onderstaande formules berei word: <u>Liter</u> (i) Spiritus 95,0 Ru-metielal= 3,5 kohol of me= tanol Piridienba= 1,5 sisse <u>100,0</u> (ii) Spiritus 97,5 Simonsen-olie 1,0 Piridienba= 1,5 sisse <u>100,0</u> (iii) Spiritus 95,0 Normale bu= 4,0 tielalkohol of isobutiël= alkohol Piridienba= 1,0 sisse <u>100,0</u> (iv) Spiritus 95,0 Normale bu= 3,5 tielalkohol of isobutiël= alkohol Petrol (uit= 1,5 gesonderd petrol wat ingevolge item 606.00 van Bylae No. 6 vervaardig is) <u>100,0</u> (v) Spiritus 95,0 Normale bu= 3,5 tielalkohol of isobutiël= alkohol Bensien 1,5 <u>100,0</u>			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
				Met dien verstande dat in die geval van ongekleurde brand=spiritus wat vir hospitaal- of laboratoriumdoeleindes benodig word, die piridienbassisie met vergunning van die Kommissaris van formules (i) of (iii) weggelaat mag word: Met dien verstande voorts dat in sodanige gevalle die hoeveelheid ru-metielalkohol, metanol, normale butielalkohol of isobutielalkohol tot 6,0 persent vermeerder moet word; (f) moet enige ru-metielalkohol of metanol in paragraaf (e) hierbo vermeld, van 'n sterkte van nie minder as 91,4 persent alkohol volgens volume wees nie, en alle ander stowwe in die bedoelde paragraaf vermeld, moet aan die spesifikasies wat die Kommissaris vasstel, voldoen; (g) moet 'n lisensiehouer, voordat hy enige metileerproses uitvoer, monsters van die stowwe deur die Kommissaris bepaal, in paragraaf (e) hierbo vir gebruik by die metilering van spiritus voorgeskryf, aan enige skeikundige staatslaboratorium voorle, en tensy 'n sertifikaat van sodanige laboratorium ontvang word met die strekking dat die stowwe van die standaard is wat deur die Kommissaris goedgekeur is, moet dit nie vir die doel van metilering gebruik word nie; (h) moet enige stowwe waarna in paragraaf (f) verwys word, op sodanige wyse wat die Kommissaris verlang in bevatters bewaar word; (i) moet elke bevatter waarin 'n lisensiehouer ongekleurde brandspiritus of gemineralseerde brandspiritus bewaar, hou of verskaf, op sodanige wyse geëtiketteer word dat daar aangetoon word dat die brand=spiritus ongekleurd of gemine=raliseer is, na gelang van die geval; (j) moet die lisensiehouer - (i) voorraadrekenings in 'n deur die Kommissaris goedgekeurde vorm hou waarin hy of sy daaglik, afsonderlik, die beson=derhede van ongekleurde en gemineralseerde brandspiritus wat hy of sy vervaardig het en wat uit voorraad verwyder is, moet opteken; en			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNOA= SIES
				(ii) fakture, opeenvolgend genommer en in duplikaat=stelle, ten opsigte van alle verwyderings van brandspiritus invul; (k) moet sodanige voorraadrekenings en duplikate van sodanige fakture op aanvraag aan die Kontroleur beskikbaar gestel word; (l) mag die lisensiehouer gemine=raliseerde brandspiritus slegs aan 'n gemagtigde handelaar of iemand wat by die Kommissaris geregistreer is of 'n agent of gesagvoerder van 'n skip vir uitvoer en ongekleurde brand=spiritus slegs aan iemand wat by die Kommissaris geregistreer is, verskaf; (m) kan die Kommissaris op aansoek op die voorgeskrewe vorm vir enige doel deur hom of haar goedgekeur, enigeen magtig en registreer om ongekleurde brandspiritus van 'n lisensie=houer of van 'n spesiale geregistreerde persoon te verkry; (n) mag geen lisensiehouer of 'n persoon kragtens paragraaf (m) hierbo vermeld geregistreer behalwe dryfmiddels deur die Kommissaris goedgekeur enige vlugtige olie, geursel of enige ander stof by brandspiritus voeg of met brandspiritus vermeng nie: Met dien verstande dat die Kommissaris 'n lisen=siehouer kan toelaat om 'n hoeveelheid hars van minstens 85 gram per 4,5 liter by ongekleurde brandspiritus te voeg vir verskaffing aan meubelvervaardigers vir die poleer van meubels, en sodanige meubelvervaardigers word van die vereistes van paragraaf (m) vrygestel. 8. Vir die doeleindes van kortingitem 607.04.10 (02.00) - (a) moet enige applikant vir goedkeuring om goedere kragtens die bepaling van hierdie item te vervaardig, volledige besonderhede van enige proses in die vervaardiging van enige preparaat wat deur hom of haar vervaardig sal word, met inbegrip van die formule, in viervoud, deur die Kontroleur aan die Kommissaris vir goedkeuring voorlê, en indien hy of sy van voorneme is om oliemengsels en bestanddele waarvan die samestelling vir hom of haar onbekend is, te gebruik, moet die formule vergesel gaan van 'n analitiese verslag deur 'n bevoegde skeikundige onderteken;			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
				(b) moet medisinale preparate onder die persoonlike toesig van 'n geregistreerde apteker en drogis, en op die perseel van 'n behoorlik gelisensieerde apteker en drogis vervaardig word; (c) en behalwe met die toestemming van die Kommissaris - (i) moet die geregistreerde by die Kontroleur aansoek doen om toestemming, op 'n vorm deur die Kommissaris goedgekeur, vir die verwydering van spiritus na hom of haar; (ii) word die geregistreerde nie toegelaat om spiritus in hoeveelhede van minder as 110 liter van alkohol volgens volume by 20°C te verwyder nie; en (iii) word geen korting op reg toegelaat nie indien die hoeveelheid van enige besondere preparaat wat gemaak word, minder is as 4,5 liter of as die hoeveelheid van spiritus wat gedurende 'n enkele werksaamheid gebruik word, minder as 110 liter alkohol volgens volume by 20°C is; (d) mag geen spiritus sonder die skriftelike toestemming van die Kontroleur vir 'n langer tydperk as 120 dae ongebruik deur die geregistreerde gehou word nie; (e) is, indien klaargemaakte preparate wat met korting op reg vervaardig is, nie aan die geregistreerde formule voldoen nie, die vervaardiger vir die reg verskuldig op spiritus wat daarin gebruik is, aanspreeklik; (f) kan die Kommissaris, ondanks andersluidende bepalings in hierdie opmerking vervat, wanneer die werksaamhede van 'n vervaardiger wat spiritus in groot hoeveelhede gebruik, deurlopend is, enige spesiale reëlins tref wat vir die besondere aard van die werksaamhede nodig mag wees. 9. Die bepalings van Opmerking 8 is <u>mutatis mutandis</u> ten opsigte van enige spiritus kragtens die bepalings van kortingitem 607.04.10 (03.00) tot 607.04.10 (15.00) en 607.04.20 (01.00) gebruik, van toepassing.			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
608.00				10. Ten opsigte van wynspiritus geklaar kragtens die bepalinge van kortingitem 607.04.15 vir gebruik by die opvul of preserving van ongefortifiseerde nie-vonkelende wyn is die bepalinge van Opmerking 5 <u>mutatis mutandis</u> van toepassing. 11. Die bepalinge van Opmerking 5 is <u>mutatis mutandis</u> van toepassing ten opsigte van enige spiritus kragtens die bepalinge van kortingitem 607.04.18 gebruik. 12. Enige bewerkte tabak vermeld in kortingitem 607.04.25 (01.00) moet deeglik met minstens 2 persent blomswawel of enige ander stof deur die Kommissaris goedgekeur, gemeng word. 13. Die bepalinge van Opmerking 8 is <u>mutatis mutandis</u> ten opsigte van enige goedere vermeld in en geklaar kragtens die bepalinge van kortingitem 607.05.10 van toepassing. 14. Die bepalinge van Opmerking 8 is <u>mutatis mutandis</u> ten opsigte van basisolies vermeld in en geklaar kragtens die bepalinge van kortingitem 607.05.20 van toepassing." Deur na die opskrif die volgende in te voeg: "OPMERKINGS: 1. Vir die doeleindes van kortingitem 608.01 - (a) moet enige aansoek deur 'n lisensiehouer van 'n doeane-en-aksynspakhuis vir 'n korting op reg ooreenkomstig die bepalinge van kortingitem 608.01 aan die Kontroleur, op 'n vorm deur die Kommissaris goedgekeur, en gestaaf deur sodanige bewys van die verlies en die omstandig- hede waarin sodanige verlies plaasgevind het soos die Kommissaris in elke geval mag verlang, voorgelê word; (b) moet enige individuele verlies of tekort van enige besondere tipe nie sodanige persentasie oorskry van die goedere waarin sodanige verlies of tekort plaasgevind het nie wat die Kommissaris ten opsigte van sodanige sinsbare goedere bepaal en in sodanige omstandighede soos deur hom of haar vermeld; en			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
				(c) enige sinsbare goedere, wat in die proses van vervaardiging is, wat uit een doeane-en-aksynsvervaardigingspakhuis na 'n ander sodanige pakhuis vir die doeleindes van verdere vervaardiging daarvan vervoer word, word geag in die doeane-en-aksynsvervaardigingspakhuis waarna sodanige goedere in transito is, te wees, mits sodanige goedere op so 'n wyse en in houeurs deur die Kommissaris goedgekeur, verwyder word. 2. Geen aansoek om enige goedere in 'n doeane-en-aksynspakhuis kragtens die bepalings van item 608.02 te vernietig, word deur die Kommissaris oorweeg nie tensy sodanige goedere geen handelswaarde het nie of tensy die van die hand sit van sodanige goedere tot nadeel van die aansoeker of die betrokke nywerheid sal strek. 3. Die bepalings van Opmerking 2 by kortingitem 412.00 is <u>mutatis mutandis</u> van toepassing op enige aanbod om enige goedere kragtens die bepalings van kortingitem 608.02 prys te gee of aansoek om dit te vernietig: Met dien verstande dat die Kommissaris enige aanbod van prysgawe ten opsigte van sodanige goedere van enige klas of soort of enige goedere waarop sodanige omstandighede van toepassing is, as wat hy of sy voorskryf, van enige van die voorwaardes van die vermelde Opmerking 2 kan vrystel. 4. Vir die doeleindes van kortingitem 608.03 moet enige - (a) verlies ten opsigte waarvan 'n korting op reg geëis word, aan die Kommissaris bewys word; en (b) aansoek om 'n korting op reg aan die Kontroleur op 'n vorm deur die Kommissaris goedgekeur, voorgelê word en moet van die dokumente wat die Kommissaris bepaal, vergesel wees. 5. Geen lisensiehouer is op 'n korting van reg kragtens die bepalings van kortingitem 608.04 geregtig nie, tensy sodanige verlies waarop 'n aansoek vir korting betrekking het, bewys is en benewens bewys wat betrekking het op die bepalings vermeld in paragrawe (i), (ii) en (iii) van die item verdere bewys saam met sodanige aansoek voorgelê word dat - (a) alle moontlike stappe gedoen is om te verseker dat die houeurs en toerusting insluitend dié vir die vervoer van goedere onder waarborg in 'n goeie toestand is;			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
				(b) enige verlies by deurvoer per pad onmiddellik aan die naaste Kontroleur en by die Suid-Afrikaanse Polisie diens te 'n verkeersbeampte gerapporteer is en dat stappe om die betrokke houers te herstel of om verdere verlies te voorkom, onmiddellik gedoen is; (c) enige verlies by deurvoer per spoor onmiddellik aan die naaste Kontroleur en die Suid-Afrikaanse Polisie diens te gerapporteer is; en (d) enige verlies in 'n gelisen-sieerde pakhuis onmiddellik aan die Kontroleur en indien die Kontroleur nie beskikbaar is nie dit sonder versuim aan die Suid-Afrikaanse Polisie diens te gerapporteer is en dat stappe om verdere verlies te voorkom onmiddellik gedoen is."			
608.01				Deur kortingitem 608.01 deur die volgende te vervang:			
"608.01	000.00	01.00	05	Synsbare goedere in 'n doeane-en-aksynsvervaardigingspakhuis en synsbare goedere in die proses van vervaardiging en wat van een doeane-en-aksynsvervaardigingspakhuis na 'n ander sodanige pakhuis verwyder word, wat onvermydelik verlore raak in vervaardigingsprosesse of aan bewerking, pomp, hantering en soortgelyke oorsake of aan natuurlike oorsake te wyte is, in die mate wat die Kommissaris redelik ag, mits bewyse voorgelê word dat sodanige goedere nie in verbruik gegaan het nie.	Volle reg"		
608.02				Deur die aanhef by kortingitem 608.02 deur die volgende te vervang:			
				"Synsbare goedere en spiritusdranke wat onvoorwaardelik aan die Kantoor prysgegee word deur die eienaar of wat met die toestemming van die Kommissaris vernietig word: Met dien verstande dat die Kommissaris kan weier om prysgawe te aanvaar of om toestemming vir vernietiging te verleen:"			
608.04				Deur kortingitem 608.04 deur die volgende te vervang:			
"608.04	000.00	01.00	07	Goedere ten opsigte waarvan die aksynreg, tesame met die brandstofheffing waar van toepassing, minstens R2 500 bedra, wat bewys word by enige enkele geleentheid verlore te gegaan het, of vernietig of beskadig te gewees het in omstandighede van vis major of in sodanige ander omstandighede wat die Kommissaris buitengewoon ag terwyl sodanige goedere -	Volle reg"		
				(a) in enige doeane-en-aksynspakhuis is of in enige aangewese deurvoerloods of onder die beheer van die Kantoor is;			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNOTASIES
609.00				(b) met uitstel van betaling van reg of met korting op reg van 'n plek in die Republiek na enige ander plek verwyder word kragtens die bepalings van hierdie Wet; of (c) in enige kortingpakkamer opgeslaan word, MITS - (i) geen vergoeding ten opsigte van die aksynsreg of brandstofheffing op sodanige goedere betaal is of aan die eienaar deur enige ander persoon verskuldig is nie; (ii) sodanige verlies, vernietiging of beskadiging nie te wyte is aan enige nalatigheid of bedrog deur die persoon aanspreeklik vir die reg nie; en (iii) sodanige goedere nie in verbruik gegaan het nie. Deur na die opskrif die volgende in te voeg: "OPMERKINGS: 1. Vir die doeleindes van kortingitem 609.05.10 - (1) moet - (1) (a) enige aansoek om terugbetaling van aksynsreg op distillaatbrandstof deur die geregistreerde gebruiker van sodanige brandstof aan die Kommissaris op 'n vorm DA 81 saam met die oorspronklike faktuur voorgelê deur die verkoper en enige ander stawende bewyse soos die Kommissaris in elk geval verlang, voorgelê word; (b) enige sodanige faktuur genommer en gedateer word deur die verkoper en moet die verskaffer se besigheidsadres en die geregistreerde adres van die gebruiker, die hoeveelheid en prys van sodanige brandstof en registrasie letters en -nommers van die voertuig waar sodanige brandstof in die tenk van enige voertuig gelewer word, vertoon. Met dien verstande dat die Kommissaris enige ander faktuur soos deur hom of haar in elke geval goedgekeur, kan aanvaar; en			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
				(c) afskrifte van sodanige fakture deur die verkoper gehou word vir 'n tydperk van minstens drie jaar vanaf die datum na verkoop en moet aan enige beampte op aanvraag beskikbaar gestel word, (2) sal geen aansoek om terugbetaling oorweeg word nie indien die hoeveelheid distillaatbrandstof waarna sodanige aansoek verwys, minder as tien liter is. (3) moet enige gebruiker van distillaatbrandstof wat geregistreer is ingevolge artikel 75(4A) in 'n vorm deur die Kommissaris goedgekeur - (a) rekord hou van alle aankope of ontvangstes van distillaatbrandstof, wat die volgende aantoon - (i) die nommer en datum van elke faktuur wat betrekking het op sodanige aankope of ontvangstes; (ii) die hoeveelhede aangekoop of ontvang; (iii) die verkoper se naam en besigheidsadres; en (iv) die datum van aankoop of ontvangs; (b) rekord hou ten opsigte van gebruik of beskikking van distillaatbrandstof, wat die volgende aantoon - (i) die datum of tydperk van gebruik of beskikking; (ii) die hoeveelheid en doel van gebruik of beskikking; (iii) die registrasiebesonderhede van die voertuig en tipe masjinerie of toerusting waarin sodanige brandstof gebruik; en sodanige rekords moet vir 'n tydperk van minstens drie jaar vanaf die datum van gebruik of beskikking van sodanige brandstof of datum van aansoek om 'n terugbetaling, watter een ookal die laaste voorkom, gehou word en aan enige beampte op aanvraag beskikbaar gestel word.			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	IV T. S.	V BESKRYWING	VI MATE VAN KORTING	VII MATE VAN TERUG= BETALING	VIII ANNO- TASIES
				(4) moet enige gebruiker van distillaatbrandstof aan wie 'n voorlopige terugbetaling van reg of brandstofheffing toegestaan is, vir die doeleindes van artikel 75(1A), 'n verklaring aan die Kommissaris voorlê op sodanige tye en in sodanige vorm wat die Kommissaris mag vereis ten opsigte van die werklike gebruik van sodanige brandstof. 2. Vir die doeleindes van kortingitem 609.22.10 - (a) word geen terugbetaling van reg kragtens die bepalings van kortingitem 609.22.10 betaal nie, behalwe aan die vervaardiger van sodanige goedere; (b) moet 'n vervaardiger wat gebruik wil maak van die vergunning in kortingitem 609.22.10 deur die Kontroleur, by die Kommissaris aansoek doen met uitvoerige besonderhede van die klas of soort goedere wat hy of sy bestem om aan die mark te onttrek en die stappe wat hy of sy van voornemens is om te doen om sodanige goedere onaangeroer en geheel en al afsonderlik van enige ander goedere of materiale in sy of haar doeane-en-aksyns-vervaardigingspakhuis te hou, watter stappe deur die Kontroleur goedgekeur moet word voordat sodanige goedere teruggestuur word, (c) moet, indien die Kommissaris die aansoek goedkeur, enige goedere teruggestuur - (i) onaangeroer en geheel en al afsonderlik van enige ander goedere of materiale gehou word totdat dit deur 'n beaampte ondersoek en geïdentifiseer is; en (ii) onder toesig van 'n beaampte uitpak en oorgeplaas word na en met voorrade van materiale vir bewerking vermeng word; (d) moet, die vervaardiger van die goedere wat teruggestuur word, bewys aan die Kommissaris lewer van die reg wat op die goedere aldus teruggestuur, betaal is en indien sodanige bewys nie voorgelê kan word nie, kan die Kommissaris 'n bedrag bepaal wat geag word die reg wat op sodanige goedere betaal is, te wees; en			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
Opmerkings: Deel 2				(e) moet gelde teen die voorgeskrewe skale deur die betrokke vervaardiger vir die spesiale diens van die Kontroleur ooreenkomstig die bepalings van paragraaf (c) betaal word." Deur Opmerking 1 by Deel 2 deur die volgende te vervang: "1. Die sinsbare goedere in Kolom IV van hierdie Deel vermeld, kan, behoudens die bepalings van artikel 75, geklaar word met korting op die aksynsreg wat in Afdeling B van Deel 2 van Bylae No. 1 ten opsigte van sodanige goedere ten tyde van klaring vir binnelandse verbruik daarvan vermeld word, in die mate in Kolom V van hierdie Deel aangetoon, of 'n terugbetaling van die aksynsreg wat op sodanige goedere betaal is kragtens enige item in Afdeling B van Deel 2 van Bylae No 1 word gedoen, in die mate in Kolom VI van hierdie Deel aangetoon, ten opsigte van sodanige goedere by nakoming van die bepalings van die item in hierdie Deel waarin sodanige goedere vermeld word en van enige opmerkings van toepassing ten opsigte van sodanige item."			
610.14				Deur kortingitem 610.14 deur die volgende te vervang:			
"610.14	126.05	01.05	55	Een motorvoertuig van 'n klas of tipe deur die Kommissaris goedgekeur, aangepas tot die mate wat die Kommissaris mag voorskryf of as voldoende mag ag vir bestuur deur 'n permanent liggaamlik gestremde persoon of vir die vervoer van 'n permanent liggaamlik gestremde persoon wat medies as 'n kwadrupeel verklaar is, onderhewig aan 'n permit deur die Kommissaris uitgereik en enige verdere voorwaardes wat hy of sy in elke geval mag stel - (i) mits sodanige voertuig nie binne 'n tydperk van 3 jaar na die datum van klaring onder hierdie item aangebied, geadverteer, geleen, verhuur, verpag, verpand, weggegee, verruil, verkoop of andersins vervreem word sonder die vooraf toestemming van die Kommissaris nie: Met dien verstande dat enigeen van voormelde handelinge met sodanige voertuig binne 'n tydperk van 2 jaar na die datum van klaring kragtens hierdie item sodanige voertuig onderhewig sal maak aan die betaling van reg; en (ii) 'n korting op reg kragtens hierdie item sal slegs eenkeer per persoon gedurende 'n tydperk van 3 jaar of sodanige korter tydperk as wat die Kommissaris in buitengewone omstandighede mag besluit, toegestaan word.	Volle reg'		

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
615.00				Deur na die opskrif by kortingitem 615.00 die volgende in te voeg: "OPMERKINGS: 1. Die bepalings van Opmerking 2 by kortingitem 412.00 is <u>mutatis mutandis</u> van toepassing op enige goedere prysgegee of vernietig kragtens kortingitem 615.01."			
615.01				Deur die aanhef by kortingitem 615.01 deur die volgende te vervang: "Synsbare goedere wat onvoorwaardelik aan die Kantoor prysgegee word deur die eienaar of wat met die toestemming van die Kommissaris vernietig word: Met dien verstande dat die Kommissaris kan weier om prysgawe te aanvaar of om toestemming vir vernietiging te verleen:"			
615.02 en 615.03				Deur kortingitem 615.02 en 615.03 die volgende te vervang:			
615.02	000.00	01.00	02	Synsbare goedere wat onvermydelik verlore geraak het in 'n spesiale doeane-en-aksynspakhuis in vervaardigingsprosesse of aan bewerking, pomp, hantering en soortgelyke oorsake of aan natuurlike oorsake te wyte is, in die mate wat die Kommissaris redelik ag, mits bewyse voorgelê word dat sodanige goedere nie in verbruik gegaan het nie	Volle reg	Volle reg	
615.03	000.00	01.00	00	Synsbare goedere ten opsigte waarvan die aksynsreg minstens R2 500 bedra, wat bewys word by enige enkele geleentheid verlore te gegaan het, of vernietig of beskadig te gewees het in omstandighede van <u>vis major</u> of in die ander omstandighede wat die Kommissaris buitengewoon ag, terwyl sodanige goedere in enige doeane-en-aksynspakhuis is of onder waarborg verwyder word of onder die beheer van die Kommissaris is, mits geen vergoeding ten opsigte van aksynsreg op sodanige goedere betaal is aan of aan die eienaar deur enige ander persoon verskuldig is nie en sodanige verlies, vernietiging of beskadiging nie te wyte is aan enige nalatigheid of bedrog deur die persoon aanspreeklik vir die reg nie en sodanige goedere nie in verbruik gegaan het nie	Volle reg	Volle reg"	
Opmer= kings				Deur Opmerking 1 by Deel 3 deur die volgende te vervang: "1. 'n Terugbetaling van die brandstofheffing wat kragtens Deel 5 van Bylae No. 1 ten opsigte van enige in Kolom IV van hierdie Bylae vermelde goedere betaal is, word, behoudens die bepalings van artikel 75, in die mate in Kolom VI van hierdie Deel aangetoon, by nakoming van die bepalings van die item in hierdie Deel waarin daardie goedere vermeld word en van enige opmerkings van toepassing ten opsigte van sodanige item gedoen."			

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
640.00				Deur Opmerking 7 by Deel 3 deur die volgende te vervang: "7. 'n Korting op brandstofheffing in deel 5 van Bylae No. 1 vermeld, word, behoudens die bepaling van artikel 75, toegelaat in die mate in Kolom V van kortingitem 640.04 en 640.05 aangetoon by nakoming van die bepaling van die kortingitem en van enige opmerkings van toepassing daarop." Deur die Opmerking deur die volgende te vervang: "OPMERKINGS: 1. By hierdie item beteken "pad", "landbou", "landbouprodukte", "landboubenodighede", "vervoer in landbou", "bosbou", "vervoer in bosbou", "mynbou" en "konstruksie" dieselfde as die betekenis daarvan toegewys in die Opmerkings by kortingitem 609.05 van hierdie Bylae. 2. Vir die doeleindes van 'n terugbetaling van brandstofheffing ooreenkomstig kortingitem 640.03 is die bepaling van Opmerking 1 by kortingitem 609.00 <u>mutatis mutandis</u> van toepassing."			
640.08				Deur kortingitem 640.08 deur die volgende te vervang:			
"640.08	000.00	01.00	07	Goedere ten opsigte waarvan die brandstofheffing, tesame met die aksynsreg waar van toepassing, minstens R2 500 bedra, wat bewys word by enige enkele geleentheid verlore te gegaan het, of vernietig of beskadig te gewees het in omstandighede van <u>vis major</u> of in sodanige ander omstandighede wat die Kommissaris buitengewoon ag terwyl sodanige goedere - (a) in enige doeane-en-aksynspakhuis is of in enige aangewese deurvoerloods of onder die beheer van die Kantoor is; (b) met uitstel van betaling van reg of met korting op reg van 'n plek in die Republiek na enige ander plek verwyder word kragtens die bepaling van hierdie Wet; of (c) in enige kortingpakkamer opgeslaan word, MITS - (i) geen vergoeding ten opsigte van die aksynsreg of brandstofheffing op sodanige goedere betaal is of aan die eienaar deur enige ander persoon verskuldig is nie;	Volle brandstofheffing"		

I KORTING= ITEM	II TARIEF= ITEM	III KODE	T. S.	IV BESKRYWING	V MATE VAN KORTING	VI MATE VAN TERUG= BETALING	ANNO- TASIES
				(ii) sodanige verlies, vernietiging of beskadiging nie te wyte is aan enige nalatigheid of bedrog deur die persoon aanspreeklik vir die reg nie; en (iii) sodanige goedere nie in verbruik gegaan het nie.			

No. R. 320**23 February 1996****REGULATIONS MADE UNDER THE GOVERNMENT SERVICE PENSION ACT, 1973: AMENDMENT**

The Minister of Finance has in terms of section 17 of the Government Service Pension Act, 1973 (Act No. 57 of 1973), made the regulations set out in the Schedule.

SCHEDULE**Definition**

1. In this Schedule "the Regulations" means the regulations published under Government Notice No. R. 1062 of 22 June 1973, as amended, and any word to which a meaning has been assigned in the Regulations and the Government Service Pension Act, 1973, shall bear that meaning.

Amendment of regulation 3 of the Regulations

2. Regulation 3 of the Regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:

"(2) An amount which is equal to 2,74834 times the amount which a member contributes to the Fund in terms of subregulation (1), reduced by the amount of R757 million for the 1995/1996 financial year, shall be paid from revenue to the Fund."

Date of commencement

3. The provisions of this Schedule shall come into operation on **1 September 1995**.

No. R. 320**23 Februarie 1996****REGULASIES UITGEVAARDIG KRAGTENS DIE REGERINGSDIENSPENSIOENWET, 1973: WYSIGING**

Die Minister van Finansies het kragtens artikel 17 van die Regeringsdienspensioenwet, 1973 (Wet No. 57 van 1973), die regulasies vervat in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 1062 van 22 Junie 1973, soos gewysig, en het 'n woord waaraan in die Regulasies en die Regeringsdienspensioenwet, 1973, 'n betekenis geheg is, daardie betekenis.

Wysiging van regulasie 3 van die Regulasies

2. Regulasie 3 van die Regulasies word hierby gewysig deur subregulasie (2) met die volgende subregulasie te vervang:

"(2) 'n Bedrag wat gelykstaan met 2,74834 maal die bedrag wat 'n lid ingevolge subregulasie (1) tot die Fonds bydra, verminder met 'n bedrag van R757 miljoen vir die 1995/1996-boekjaar, word uit inkomste aan die Fonds betaal."

Datum van inwerkingtreding

3. Die bepalinge van hierdie Bylae tree op **1 September 1995** in werking.

No. R. 321**23 February 1996****REGULATIONS MADE UNDER THE TEMPORARY EMPLOYEES PENSION FUND ACT, 1979: AMENDMENT**

The Minister of Finance has in terms of section 8 of the Temporary Employees Pension Fund Act, 1979 (Act No. 75 of 1979), made the regulations set out in the Schedule.

SCHEDULE**Definition**

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice No. R. 2099 of 21 September 1979, as amended, and any word to which a meaning has been assigned in the Regulations and the Temporary Employees Pension Fund Act, 1979, shall bear that meaning.

Amendment of regulation 3 of the Regulations

2. Regulation 3 of the Regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:

"(2) An amount which is equal to 2,74834 times the amount which a member contributes to the Fund in terms of subregulation (1), reduced by the amount of R54 million for the 1995/1996 financial year in respect of members mentioned in section 5 (2) (a) of the Act, shall be paid by the employer of the member to the Fund."

Date of commencement

3. The provisions of this Schedule shall come into operation on **1 September 1995**.

No. R. 321**23 Februarie 1996****REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP DIE PENSIOENFONDS VIR TYDELIKE WERKNEMERS, 1979: WYSIGING**

Die Minister van Finansies het kragtens artikel 8 van die Wet op die Pensioenfonds vir Tydelike Werknemers, 1979 (Wet No. 75 van 1979), die regulasies vervat in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 2099 van 21 September 1979, soos gewysig, en het 'n woord waaraan in die Regulasies en die Wet op die Pensioenfonds vir Tydelike Werknemers, 1979, 'n betekenis geheg is, daardie betekenis.

Wysiging van regulasie 3 van die Regulasies

2. Regulasie 3 van die Regulasies word hierby gewysig deur subregulasie (2) met die volgende subregulasie te vervang:

"(2) 'n Bedrag wat gelykstaan met 2,74834 maal die bedrag wat 'n lid ingevolge subregulasie (1) tot die Fonds bydra, verminder met 'n bedrag van R54 miljoen vir die 1995/1996-boekjaar ten opsigte van lede bedoel in artikel 5 (2) (a) van die Wet, word deur die werkgever van die lid aan die Fonds betaal."

Datum van inwerkingtreding

3. Die bepalinge van hierdie Bylae tree op **1 September 1995** in werking.

No. R. 322**23 February 1996****REGULATIONS MADE UNDER THE BLACK AUTHORITIES' SERVICE PENSIONS ACT, 1971: AMENDMENT**

The Minister of Finance has in terms of section 5 of the Black Authorities' Service Pensions Act, 1971 (Act No. 6 of 1971), made the regulations set out in the Schedule.

SCHEDULE**Definitions**

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice No. R. 317 of 24 February 1978, as amended, and any word to which a meaning has been assigned in the Regulations and the Black Authorities' Service Pensions Act, 1971, shall bear that meaning.

Amendment of regulation 8 of the Regulations

2. Regulation 8 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) An amount which is equal to 1,986 times the amount which a member contributes to the Fund in terms of regulation 7 (1), reduced by the amount of R109 million for the 1995/1996 financial year, shall be paid from revenue to the Fund."

Date of commencement

3. The provisions of this Schedule shall come into operation on **1 September 1995**.

No. R. 322**23 Februarie 1996****REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP PENSIOENE VIR SWART OWERHEIDSDIENS, 1971: WYSIGING**

Die Minister van Finansies het kragtens artikel 5 van die Wet op Pensioene vir Swart Owerheidsdiens, 1971 (Wet No. 6 van 1971), die regulasies vervat in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 317 van 24 Februarie 1978, soos gewysig, en het 'n woord waaraan in die Regulasies en die Wet op Pensioene vir Swart Owerheidsdiens, 1971, 'n betekenis geheg is, daardie betekenis.

Wysiging van regulasie 8 van die Regulasies

2. Regulasie 8 van die Regulasies word hierby gewysig deur subregulasie (1) met die volgende subregulasie te vervang:

"(1) 'n Bedrag wat gelykstaan met 1,986 maal die bedrag wat 'n lid ingevolge regulasie 7 (1) tot die Fonds bydra, verminder met 'n bedrag van R109 miljoen vir die 1995/1996-boekjaar, word uit inkomste aan die Fonds betaal."

Datum van inwerkingtreding

3. Die bepalinge van hierdie Bylae tree op **1 September 1995** in werking.

No. R. 323**23 February 1996****REGULATIONS MADE UNDER THE BLACK AUTHORITIES' SERVICE PENSIONS ACT 1971: AMENDMENT**

The Minister of Finance has in terms of section 5 of the Black Authorities' Service Pensions Act, 1971 (Act No. 6 of 1971), made the regulations set out in the Schedule.

SCHEDULE**Definitions**

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice No. R. 1954 of 29 October 1971, as amended, and any word to which a meaning has been assigned in the Regulations and the Black Authorities' Service Pensions Act, 1971, shall bear that meaning.

Amendment of regulation 8 of the Regulations

2. Regulation 8 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) An amount which is equal to 1,30 times the amount which a member contributes to the Fund in terms of regulation 7 (1), reduced by the amount of R5 million for the 1995/1996 financial year, shall be paid from revenue to the Fund."

Date of commencement

3. The provisions of this Schedule shall come into operation on **1 September 1995**.

No. R. 323**23 Februarie 1996****REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP PENSIOENE VIR SWART OWERHEIDSDIENS, 1971: WYSIGING**

Die Minister van Finansies het kragtens artikel 5 van die Wet op Pensioene vir Swart Owerheidsdiens, 1971 (Wet No. 6 van 1971), die regulasies vervat in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 1954 van 29 Oktober 1971, soos gewysig, en het 'n woord waaraan in die Regulasies en die Wet op Pensioene vir Swart Owerheidsdiens, 1971, 'n betekenis geheg is, daardie betekenis.

Wysiging van regulasie 8 van die Regulasies

2. Regulasie 8 van die Regulasies word hierby gewysig deur subregulasie (1) met die volgende subregulasie te vervang:

"(1) 'n Bedrag wat gelykstaan met 1,30 maal die bedrag wat 'n lid ingevolge regulasie 7 (1) tot die Fonds bydra, verminder met 'n bedrag van R5 miljoen vir die 1995/1996-boekjaar, word uit inkomste aan die Fonds betaal."

Datum van inwerkingtreding

3. Die bepalings van hierdie Bylae tree op **1 September 1995** in werking.

No. R. 324**23 February 1996****REGULATIONS MADE UNDER THE VENDA GOVERNMENT SERVICE PENSION ACT, 1979: AMENDMENT**

The Minister of Finance has in terms of section 11 of the Venda Government Service Pension Act, 1979 (Act No. 4 of 1979), made the regulations set out in the Schedule.

SCHEDULE**Definitions**

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice No. 13 of 7 March 1980, as amended, and any word to which a meaning has been assigned in the Regulations and the Venda Government Service Pension Act, 1979, shall bear that meaning.

Amendment of regulation 8 of the Regulations

2. Regulation 8 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) An amount which is equal to 2,27 times the amount which a member contributes to the Fund in terms of regulation 7 (1), reduced by the amount of R17 million for the 1995/1996 financial year, shall be paid from revenue to the Fund."

Date of commencement

3. The provisions of this Schedule shall come into operation on **1 September 1995**.

No. R. 324**23 Februarie 1996****REGULASIES UITGEVAARDIG KRAGTENS DIE VENDA REGERINGSDIENSPENSIOENWET, 1979: WYSIGING**

Die Minister van Finansies het kragtens artikel 11 van die Venda Regeringsdienspensioenwet, 1979 (Wet No. 4 van 1979), die regulasies vervat in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. 13 van 7 Maart 1980, soos gewysig, en het 'n woord waaraan in die Regulasies en die Venda Regeringsdienspensioenwet, 1979, 'n betekenis geheg is, daardie betekenis.

Wysiging van regulasie 8 van die Regulasies

2. Regulasie 8 van die Regulasies word hierby gewysig deur subregulasie (1) met die volgende subregulasie te vervang:

"(1) 'n Bedrag wat gelykstaan met 2,27 maal die bedrag wat 'n lid ingevolge regulasie 7 (1) tot die Fonds bydra, verminder met 'n bedrag van R17 miljoen vir die 1995/1996-boekjaar, word uit inkomste aan die Fonds betaal."

Datum van inwerkingtreding

3. Die bepalinge van hierdie Bylae tree op **1 September 1995** in werking.

No. R. 325**23 February 1996****REGULATIONS MADE UNDER THE VENDA GOVERNMENT SERVICE PENSION ACT, 1979: AMENDMENT**

The Minister of Finance has in terms of section 11 of the Venda Government Service Pension Act, 1979 (Act No. 4 of 1979), made the regulations set out in the Schedule.

SCHEDULE**Definitions**

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice No. 12 of 7 March 1980, as amended, and any word to which a meaning has been assigned in the Regulations and the Venda Government Service Pension Act, 1979, shall bear that meaning.

Amendment of regulation 8 of the Regulations

2. Regulation 8 of the Regulations is hereby amended by the substitution for subregulation (1) of the following sub-regulation:

"(1) An amount which is equal to 1,30 times the amount which a member contributes to the Fund in terms of regulation 7 (1), reduced by the amount of R1 million for the 1995/1996 financial year, shall be paid from revenue to the Fund."

Date of commencement

3. The provisions of this Schedule shall come into operation on **1 September 1995**.

No. R. 325**23 Februarie 1996****REGULASIES UITGEVAARDIG KRAGTENS DIE VENDA REGERINGSDIENSPENSIOENWET, 1979: WYSIGING**

Die Minister van Finansies het kragtens artikel 11 van die Venda Regeringsdienspensioenwet, 1979 (Wet No. 4 van 1979), die regulasies vervat in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. 12 van 7 Maart 1980 soos gewysig, en het 'n woord waaraan in die Regulasies en die Venda Regeringsdienspensioenwet, 1979, 'n betekenis geheg is, daardie betekenis.

Wysiging van regulasie 8 van die Regulasies

2. Regulasie 8 van die Regulasies word hierby gewysig deur subregulasie (1) met die volgende subregulasie te vervang:

"(1) 'n Bedrag wat gelykstaan met 1,30 maal die bedrag wat 'n lid ingevolge regulasie 7 (1) tot die Fonds bydra, verminder met 'n bedrag van R1 miljoen vir die 1995/1996-boekjaar, word uit inkomste aan die Fonds betaal."

Datum van inwerkingtreding

3. Die bepalinge van hierdie Bylae tree op **1 September 1995** in werking.

No. R. 326**23 February 1996****REGULATIONS MADE UNDER THE TRANSKEI GOVERNMENT SERVICE PENSIONS ACT, 1970: AMENDMENT**

The Minister of Finance has in terms of section 3 of the Transkei Government Service Pensions Act, 1970 (Act No. 4 of 1970), made the regulations set out in the Schedule.

SCHEDULE**Definitions**

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice No. 34 of 21 March 1975, as amended, and any word to which a meaning has been assigned in the Regulations and the Transkei Government Service Pensions Act, 1970, shall bear that meaning.

Amendment of regulation 3 of the Regulations

2. Regulation 3 of the Regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:

"(2) An amount which is equal to 2,75 times the amount which a member contributes to the Fund in terms of subregulation (1), reduced by the amount of R44 million for the 1995/1996 financial year, shall be paid from revenue to the Fund."

Date of commencement

3. The provisions of this Schedule shall come into operation on **1 September 1995**.

No. R. 326**23 Februarie 1996****REGULASIES UITGEVAARDIG KRAGTENS DIE TRANSKEI REGERINGSDIENSPENSIOENWET, 1970: WYSIGING**

Die Minister van Finansies het kragtens artikel 3 van die Transkei Regeringsdienspensioenwet, 1970 (Wet No. 4 van 1970), die regulasies vervat in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. 34 van 21 Maart 1975, soos gewysig, en het 'n woord waaraan in die Regulasies en die Transkei Regeringsdienspensioenwet, 1970, 'n betekenis geheg is, daardie betekenis.

Wysiging van regulasie 3 van die Regulasies

2. Regulasie 3 van die Regulasies word hierby gewysig deur subregulasie (2) met die volgende subregulasie te vervang:

"(2) 'n Bedrag wat gelykstaan met 2,75 maal die bedrag wat 'n lid ingevolge subregulasie (1) tot die Fonds bydra, verminder met 'n bedrag van R44 miljoen vir die 1995/1996-boekjaar, word uit inkomste aan die Fonds betaal."

Datum van inwerkingtreding

3. Die bepalings van hierdie Bylae tree op **1 September 1995** in werking.

No. R. 327**23 February 1996****REGULATIONS MADE UNDER THE TRANSKEI GOVERNMENT EMPLOYEES PENSIONS ACT, 1978: AMENDMENT**

The Minister of Finance has in terms of section 2 of the Transkei Government Employees Pensions Act, 1978 (Act No. 15 of 1978), made the regulations set out in the Schedule.

SCHEDULE**Definitions**

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice No. 69 of 29 June 1984, as amended, and any word to which a meaning has been assigned in the Regulations and the Transkei Government Employees Pensions Act, 1978, shall bear that meaning.

Amendment of regulation 9 of the Regulations

2. Regulation 9 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) An amount which is equal to 2,29 times the amount which a member contributes to the Fund in terms of regulation 8 (1), reduced by the amount of R10 million for the 1995/1996 financial year, shall be paid from revenue to the Fund."

Date of commencement

3. The provisions of this Schedule shall come into operation on **1 September 1995**.

No. R. 327

23 Februarie 1996

**REGULASIES UITGEVAARDIG KRAGTENS DIE TRANSKEI REGERINGSWERKNEMERSPENSIOENWET, 1978:
WYSIGING**

Die Minister van Finansies het kragtens artikel 2 van die Transkei Regeringswerknemerspensioenwet, 1978 (Wet No. 15 van 1978), die regulasies vervat in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. 69 van 29 Junie 1984, soos gewysig, en het 'n woord waaraan in die Regulasies en die Transkei Regeringswerknemerspensioenwet, 1978, 'n betekenis geheg is, daardie betekenis.

Wysiging van regulasie 9 van die Regulasies

2. Regulasie 9 van die Regulasies word hierby gewysig deur subregulasie (1) met die volgende subregulasie te vervang:

"(1) 'n Bedrag wat gelykstaan met 2,29 maal die bedrag wat 'n lid ingevolge regulasie 8 (1) tot die Fonds bydra, verminder met 'n bedrag van R10 miljoen vir die 1995/1996-boekjaar, word uit inkomste aan die Fonds betaal."

Datum van inwerkingtreding

3. Die bepalings van hierdie Bylae tree op **1 September 1995** in werking.

No. R. 328

23 February 1996

REGULATIONS MADE UNDER THE BOPHUTHATSWANA GOVERNMENT SERVICE PENSIONS ACT, 1977: AMENDMENT

The Minister of Finance has in terms of section 10 of the Bophuthatswana Government Service Pensions Act, 1977 (Act No. 14 of 1977), made the regulations set out in the Schedule.

SCHEDULE**Definitions**

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice No. 38 of 27 March 1992, as amended, and any word to which a meaning has been assigned in the Regulations and the Bophuthatswana Government Service Pensions Act, 1977, shall bear that meaning.

Amendment of regulation 8 of the Regulations

2. Regulation 8 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) An amount which is equal to 2,00 times the amount which a member contributes to the Fund in terms of regulation 7 (1), reduced by the amount of R37 million for the 1995/1996 financial year, shall be paid from revenue to the Fund."

Date of commencement

3. The provisions of this Schedule shall come into operation on **1 September 1995**.

No. R. 328

23 Februarie 1996

**REGULASIES UITGEVAARDIG KRAGTENS DIE BOPHUTHATSWANA REGERINGSDIENSPENSIOENWET, 1977:
WYSIGING**

Die Minister van Finansies het kragtens artikel 10 van die Bophuthatswana Regeringsdienspensioenwet, 1978 (Wet No. 14 van 1977), die regulasies vervat in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. 38 van 27 Maart 1992, soos gewysig, en het 'n woord waaraan in die Regulasies en die Bophuthatswana Regeringsdienspensioenwet, 1977, 'n betekenis geheg is, daardie betekenis.

Wysiging van regulasie 8 van die Regulasies

2. Regulasie 8 van die Regulasies word hierby gewysig deur subregulasie (1) met die volgende subregulasie te vervang:

"(1) 'n Bedrag wat gelykstaan met 2,00 maal die bedrag wat 'n lid ingevolge regulasie 7 (1) tot die Fonds bydra, verminder met 'n bedrag van R37 miljoen vir die 1995/1996-boekjaar, word uit inkomste aan die Fonds betaal."

Datum van inwerkingtreding

3. Die bepalings van hierdie Bylae tree op **1 September 1995** in werking.

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID****No. R. 281****23 February 1996****LABOUR RELATIONS ACT, 1956****FURNITURE MANUFACTURING INDUSTRY, BORDER: EXTENSION OF TRAINING FUND AGREEMENT**

I, Dennis van der Walt, Director: Collective Bargaining, duly authorised thereto by the Minister of Labour, hereby, in terms of section 48 (4) (a) (i) of the Labour Relations Act, 1956, extend the periods fixed in Government Notices Nos. R. 2494 of 16 November 1984, R. 342 of 4 March 1988, R. 355 of 5 March 1993, R. 446 of 11 March 1994 and R. 137 of 3 February 1995, by a further period ending 31 March 1998.

D. VAN DER WALT**Director: Collective Bargaining****No. R. 281****23 Februarie 1996****WET OP ARBEIDSVERHOUDINGE, 1956****MEUBELNYWERHEID, GRENS: VERLENGING VAN OPLEIDINGSFONDSOORENKOMS**

Ek, Dennis van der Walt, Direkteur: Kollektiewe Bedinging, behoorlik daartoe gemagtig deur die Minister van Arbeid, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Arbeidsverhoudinge, 1956, die tydperke vasgestel in Goewermentskennisgewings Nos. R. 2494 van 16 November 1984, R. 342 van 4 Maart 1988, R. 355 van 5 Maart 1993, R. 446 van 11 Maart 1994 en R. 137 van 3 Februarie 1995, met 'n verdere tydperk wat op 31 Maart 1998 eindig.

D. VAN DER WALT**Direkteur: Kollektiewe Bedinging****No. R. 292****23 February 1996****LABOUR RELATIONS ACT, 1956****CANCELLATION OF GOVERNMENT NOTICE****IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY: REGISTRATION AND ADMINISTRATION EXPENSES AGREEMENT**

I, Tito Titus Mboweni, Minister of Labour, hereby, in terms of section 48 (5) of the Labour Relations Act, 1956, cancel Government Notice No. R. 266 of 24 February 1995 with effect from the first Monday after the date of publication of this notice.

T. T. MBOWENI**Minister of Labour****No. R. 292****23 Februarie 1996****WET OP ARBEIDSVERHOUDINGE, 1956****INTREKKING VAN GOEWERMENTSKENNISGEWING****YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID: REGISTRASIE- EN ADMINISTRASIEFONDS-OORENKOMS**

Ek, Tito Titus Mboweni, Minister van Arbeid, trek hierby, kragtens artikel 48 (5) van die Wet op Arbeidsverhoudinge, 1956, Goewermentskennisgewing No. R. 266 van 24 Februarie 1995 in met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing.

T. T. MBOWENI**Minister van Arbeid**

LABOUR RELATIONS ACT, 1956

IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY: RE-ENACTMENT OF REGISTRATION
ADMINISTRATION EXPENSES AGREEMENT

I, Tito Titus Mboweni, Minister of Labour, hereby —

(a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the first Monday after the date of publication of this notice and for the period ending 31 March 2000, upon the employer's organisations and the trade unions which entered into the said Agreement and upon the employers and employees who are members of the said organisations or unions; and

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the said Agreement, excluding those contained in clauses 1 (1) (b), 2 and 3, shall be binding, with effect from the first Monday after the date of publication of this notice and for the period ending 31 March 2000, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the area specified in clause 1 of the said Agreement.

T. T. MBOWENI

Minister of Labour

SCHEDULE**NATIONAL INDUSTRIAL COUNCIL FOR THE IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY****REGISTRATION AND ADMINISTRATION EXPENSES****AGREEMENT**

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

Association of Electric Cable Manufacturers of South Africa

Border Engineering Industries Association

Bright Bar Association

Cape Engineers' and Founders' Association

Constructional Engineering Association (South Africa)

Covered Conductor Manufacturers' Association

Domestic Appliance Manufacturers' Association of South Africa

Electrical Engineering and Allied Industries Association

Electronics and Telecommunications Industries Association

Ferro Alloy Producers' Association

Gate and Fence Association

Hand Tool Manufacturers' Association

Iron and Steel Producers' Association of South Africa

Lift Engineering Association of South Africa

Light Engineering Industries Association of South Africa

Materials Handling Association

Natal Engineering Industries Association

Non-Ferrous Metal Industries Association of South Africa

Plastics Manufacturers' Association of South Africa

Plumbers and Engineers Brassware Manufacturers' Association

Port Elizabeth Engineers' Association

Pressure Vessel Manufacturers' Association of South Africa

Radio, Appliance and Television Association of South Africa

Refrigeration and Air Conditioning Manufacturers' and Suppliers' Association

Sheetmetal Industries Association of South Africa

S.A. Association of Shipbuilders and Repairers

S.A. Electro-Plating Industries Association

S.A. Engineers' and Founders' Association

S.A. Fasteners Manufacturers' Association

S.A. Industrial Refrigeration and Air Conditioning Contractors' Association

S.A. Pump Manufacturers' Association

S.A. Reinforced Concrete Engineers' Association

S.A. Tube Makers' Association

S.A. Valve and Actuator Manufacturers' Association

S.A. Wire and Wire Rope Manufacturers' Association

(hereinafter referred to as the "employers" or the "employers' organisations"), of the one part, and the

Amalgamated Society of Woodworkers of South Africa

Metal and Electrical Workers' Union of S.A.

Mine Workers' Union

National Employees' Trade Union

National Union of Metalworkers of South Africa

Radio, Television, Electronics and Allied Workers' Union

S.A. Electrical Workers' Association

S.A. Yster-, Staal- en Verwante Nywerhede-Unie

Steel, Engineering and Allied Workers' Union of S.A.

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being the parties to the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industry.

PART I

GENERAL

1. SCOPE OF APPLICATION OF AGREEMENT

(1) Provided that any reference in this Agreement to the Republic of South Africa and/or the Provinces of the Cape of Good Hope, Transvaal, Natal and the Orange Free State shall be deemed to be a reference to the Magisterial Districts of those areas and/or provinces as they existed immediately prior to the coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), and except as otherwise provided in this section, the terms of this Agreement shall be observed—

(a) throughout the Republic of South Africa; and

(b) by all the employers and employees in the Iron, Steel, Engineering and Metallurgical Industry who are members of the employers' organisations and of the trade unions respectively.

(2) Notwithstanding the provisions of subsection (1), the terms of this Agreement shall not apply to—

(a) the manufacture, for sale, of standard high-speed cutting tools made from high-speed steel by means of plant and/or equipment and/or methods specifically adapted and/or designed for production by repetitive processes, in the Magisterial District of Johannesburg, Boksburg, Vereeniging and Pietermaritzburg;

(b) the installation, maintenance and repair of electrical equipment referred to in paragraph (b) of the definition "Electrical Engineering Industry" in section 3 of Part 1 of the Agreement published under Government Notice No. R. 1329 of 27 June 1980, in the Provinces of the Cape of Good Hope and the Orange Free State;

(c) assembling, servicing, installation, maintenance and/or repair of appliances, equipment, machines, devices and apparatus, whether utilising manual, photographic, mechanical, electrical, electrostatic or electronic principles, or any combination of such principles, that are primarily intended for use in accounting and/or business and/or calculating and/or office and/or educational procedures;

(d) the Venetian Blind and Allied Products Manufacturing Industry in the Province of the Transvaal;

(e) the installation and/or repair of burglar and/or other similar alarm systems in the Provinces of the Cape of Good Hope and the Orange Free State;

(f) the Locksmithing Trade in the Magisterial Districts of Benoni, Boksburg, Durban, Germiston, Johannesburg, Krugersdorp, Lower Umfolozi, Pinetown, Port Elizabeth, Pretoria, Randburg, Roodepoort, Springs and The Cape;

(g) the production, for sale, of welding electrodes by means of plant and/or equipment and/or methods specifically adapted and/or designed for production by repetitive processes, in the Magisterial Districts of Brits, Germiston, Kempton Park and Pretoria;

(h) the installation and/or repair and/or servicing of radios and/or refrigerators and/or domestic electrical appliances in the Provinces of the Cape of Good Hope and the Orange Free State;

(i) (i) the manufacturing by mass production methods from sheetmetal of a gauge not heavier than 2,108 mm of—

(aa) commercial, plain or lithographed containers for packaging of general merchandise, but excluding the manufacture of such containers by any person for the packaging of his own products;

- (ab) bottle, jar and other container closures;
- (ac) plain or lithographed metal toys;
- (ad) plain or lithographed display tablets;

(ii) the manufacture of plain or lithographed rigid and/or collapsible tubes of non-ferrous metal slugs. For the purposes of this subparagraph, "rigid tube" shall mean a container;

[For the purposes of subparagraphs (i) and (ii) a "container" shall mean a plain or lithographed article designed for the packaging, for transport or sale, of products and capable of being closed by means of a lid or cap or any other type of closure.];

- (j) the manufacture from tinplate of a gauge not exceeding 0,416 mm of trunks and other containers designed to hold personal effects, sporting kits, tools and documents, and other lines manufactured principally from such tinplate.
- (3) Notwithstanding the provisions of subsection (1), the terms of this Agreement shall apply to—
- (a) apprentices only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any conditions fixed thereunder; and
 - (b) trainees under training in terms of section 30 of the Manpower Training Act, 1981, only in so far as they are not inconsistent with the provisions of that Act on any conditions fixed thereunder.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 48 of the Labour Relations Act, 1956, and shall remain in force until 31 March 2000, or for such period as the Minister may determine.

3. SPECIAL PROVISIONS

The provisions contained in section 2 of Part IV of the Agreement published under Government Notice No. R. 1552 of 27 July 1984, as amended, extended and re-enacted by Government Notices Nos. R. 230 of 8 February 1985, R. 1578 of 19 July 1985, R. 1003 of 23 May 1986, R. 1743 of 22 August 1986, R. 1799 of 21 August 1987, R. 1232 of 24 June 1988, R. 248 of 17 February 1989, R. 1916 of 1 September 1989, R. 1829 of 3 August 1990, R. 793 of 19 April 1991, R. 2 of 3 January 1992, R. 550 of 2 April 1993, R. 535 of 25 March 1994 and R. 266 of 24 February 1995 (hereinafter referred to as the Former Agreement), and as amended, extended, renewed and re-enacted from time to time, shall apply to employers and employees.

4. GENERAL PROVISIONS

The provisions containing in Parts I, II and III and sections 1 and 3 of Part IV of the Former Agreement (as amended, extended and re-enacted from time to time), shall apply to employers and employees.

PART II

5. SECTION 1: CONTRIBUTIONS

- (1) For the existing subsection (2) (a) (i) substitute the following:

"(i) 23 cents per week in respect of employees engaged in work classified below Rate DD in terms of the Main Agreement or, where such classification is not applicable, in receipt of an hourly rate of R8,73 or less;"

- (2) For existing subsection (2) (a) (ii) substitute the following:

"(ii) 43 cents per week in respect of employees engaged in work classified at Rate DD or above in terms of the Main Agreement or, where such classification is not applicable, in receipt of an hourly rate in excess of R8,73."

- (3) For subsection (3) substitute the following:

"(3) In any establishment in which the total amount payable to the Council in terms of subsection (2) (a) and (b) hereof amounts to less than R23 per month, the employer shall make up the amount to R23 and forward that amount to the Council each month."

Signed at Johannesburg for and on behalf of the parties this 23rd day of January 1996.

A. T. ALLEN

Vice-Chairman

B. ANGUS

Member

D. G. LEVY

General Secretary

WET OP ARBEIDSVERHOUDINGE, 1956

YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID: HERBEKRAKTIGING VAN REGISTRASIE- EN ADMINISTRASIEFONDSOOREENKOMS

Ek, Tito Titus Mboweni, Minister van Arbeid, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en betrekking het op die Onderneming. Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Maart 2000 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is; en

(b) kragtens artikel 48 (1) (b) van die genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 1 (1) (b), 2 en 3, met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Maart 2000 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebied in klousule 1 van die genoemde Ooreenkoms gespesifiseer.

T. T. MBOWENI

Minister van Arbeid

BYLAE**NASIONALE NYWERHEIDSRAAD VIR DIE YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID****REGISTRASIE- EN ADMINISTRASIEFONDS****OOREENKOMS**

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

Association of Electric Cable Manufacturers of South Africa

Border Engineering Industries Association

Bright Bar Association

Cape Engineers' and Founders' Association

Constructional Engineering Association (South Africa)

Covered Conductor Manufacturers' Association

Domestic Appliance Manufacturers' Association of South Africa

Electrical Engineering and Allied Industries Association

Electronics and Telecommunications Industries Association

Ferro Alloy Producers' Association

Gate and Fence Association

Hand Tool Manufacturers' Association

Iron and Steel Producers' Association of South Africa

Lift Engineering Association of South Africa

Light Engineering Industries Association of South Africa

Materials Handling Association

Natal Engineering Industries Association

Non-Ferrous Metal Industries Association of South Africa

Plastics Manufacturers' Association of South Africa

Plumbers and Engineers Brassware Manufacturers' Association

Port Elizabeth Engineers' Association

Pressure Vessel Manufacturers' Association of South Africa

Radio, Appliance and Television Association of South Africa

Refrigeration and Air Conditioning Manufacturers' and Suppliers' Association

Sheetmetal Industries Association of South Africa

S.A. Association of Shipbuilders and Repairers

S.A. Electro-Plating Industries Association

S.A. Fasteners Manufacturers' Association

S.A. Engineers' and Founders' Association

S.A. Industrial Refrigeration and Air Conditioning Contractors' Association**S.A. Pump Manufacturers' Association****S.A. Reinforced Concrete Engineers' Association****S.A. Tube Makers' Association****S.A. Valve and Actuator Manufacturers' Association****S.A. Wire and Wire Rope Manufacturers' Association**

(hierna die "werkgewers" of die "werkgewersorganisasies" genoem), aan die een kant, en die

Amalgamated Society of Woodworkers of South Africa**Metal and Electrical Workers' Union of S.A.****Mine Workers' Union****National Employees' Trade Union****National Union of Metalworkers of South Africa****Radio, Television, Electronics and Allied Workers' Union****S.A. Electrical Workers' Association****S.A. Yster-, Staal- en Verwante Nywerhede-unie****Steel, Engineering and Allied Workers' Union of S.A.**

(hierna die "werknemers" of die "vakverenigings" genoem), aan die ander kant,

wat die partye is by die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid.

DEEL I**ALGEMEEN****1. TOEPASSINGSBESTEK VAN OOREENKOMS**

(1) Met die voorbehoud dat enige verwysing in hierdie Ooreenkoms na die Republiek van Suid-Afrika en/of die provinsies die Kaap die Goeie Hoop, Transvaal, Natal en die Oranje-Vrystaat geag word verwysing te wees na die landdrosdistrikte van daardie gebiede en/of provinsies soos hulle bestaan het onmiddellik voor die inwerkingtreding van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), en behoudens andersluidende bepalings in hierdie klousule moet hierdie Ooreenkoms nagekom word—

(a) oral in die Republiek van Suid-Afrika; en

(b) deur alle werkgewers en werknemers in die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid wat lede is van onderskeidelik die werkgewersorganisasie en die vakverenigings.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms nie van toepassing nie op—

(a) die vervaardiging, vir verkoop, van standaardsnel-snygereedskap gemaak van sneldraaistaal deur middel van masjinerie en/of uitrusting en/of metodes wat spesiaal aangepas en/of ontwerp is vir produksie deur herhalingsprosesse, in die landdrosdistrikte Johannesburg, Boksburg, Vereeniging en Pietermaritzburg;

(b) die installering, onderhoud en herstel van elektriese uitrusting bedoel in paragraaf (b) van die omskrywing "Elektrotegniese Ingenieursnywerheid" in klousule 3 van Deel 1 van die Ooreenkoms gepubliseer by Goewermentskennissgewing No. R. 1329 van 27 Junie 1980, in die provinsies die Kaap die Goeie Hoop en die Oranje-Vrystaat;

(c) die monteer, versiening, installering, onderhoud en/of herstel van toestelle, uitrusting, masjiene, werktuie en apparaat, hetsy dit van hand-, fotografeise, meganiese, elektriese, elektrostatiese of elektroniese beginsels of 'n kombinasie van sodanige beginsels gebruik maak, wat in die eerste plek bedoel is vir gebruik by rekeningkunde- en/of sake- en/of berekenings- en/of kantoor- en/of opvoedkundige prosedures;

(d) die Vervaardigingsnywerheid vir Hortjiesblindes en Verwante Produkte in die provinsie Transvaal;

(e) die installering en/of herstel van dief- en/of ander soortgelyke alarmstelsels in die provinsies die Kaap die Goeie Hoop en die Oranje-Vrystaat;

(f) die Slotmakerybedryf in die landdrosdistrikte Benoni, Boksburg, die Kaap, Durban, Germiston, Johannesburg, Krugersdorp, Lower Umfolozi, Pinetown, Port Elizabeth, Pretoria, Randburg, Roodepoort en Springs;

(g) die produksie, vir verkoop, van sweiselektrodes deur middel van masjinerie en/of uitrusting en/of metodes wat spesiaal aangepas en/of ontwerp is vir produksie deur herhalingsprosesse, in die landdrosdistrikte Brits, Germiston, Kempton Park en Pretoria;

(h) die installering en/of herstel en/of versiening van radio's en/of koelkaste en/of huishoudelike elektriese toestelle in die provinsies die Kaap die Goeie Hoop en die Oranje-Vrystaat;

(i) (i) die vervaardiging deur middel van massaproduksiemetodes uit plaatmetaal met 'n dikte van hoogstens 2,108 mm van—

(aa) kommersiële, gewone of gelitografeerde houers vir die verpakking van algemene handelsware, maar nie die vervaardiging van sodanige houers deur iemand vir die verpakking van sy eie produkte nie;

(ab) deksels vir bottels, flesse en ander houers;

(ac) gewone of gelitografeerde metaalspeelgoed;

(ad) gewone of gelitografeerde vertoontablette;

(ii) die vervaardiging van gewone of gelitografeerde vaste en/of voubare buise uit nie-ysterhoudende metaalklompe; vir die toepassing van hierdie subparagraaf beteken "vaste buis" 'n houer;

[Vir die toepassing van subparagrafe (i) en (ii) beteken 'n "houer" 'n gewone of gelitografeerde artikel wat ontwerp is vir die verpakking van produkte wat vervoer of verkoop moet word en wat met 'n deksel of doppie of ander soort prop toegemaak kan word.];

(j) die vervaardiging uit tinplaat met 'n dikte van hoogstens 0,416 mm van koffers en ander houers wat ontwerp is om persoonlike besittings, sportuitrusting, gereedskap en dokumente te bevat, en van ander ware wat hoofsaaklik uit sodanige tinplaat vervaardig is.

(3) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing op—

(a) vakleerlinge slegs vir sover dit nie onbestaanbaar is nie met die Wet op Mannekragopleiding, 1981, of met 'n kontrak daarkragtens aangegaan of voorwaardes daarkragtens vasgestel; en

(b) kwekelinge wat opgelei word kragtens artikel 30 van die Wet op Mannekragopleiding, 1981, slegs vir sover dit nie onbestaanbaar is nie met daardie Wet of met voorwaardes daarkragtens vasgestel.

2. GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op die datum wat deur die Minister van Arbeid kragtens artikel 48 van die Wet op Arbeidsverhoudinge, 1956, vasgestel word en bly van krag tot 31 Maart 2000, of vir die tydperk wat die Minister bepaal.

3. SPESIALE BEPALINGS

Klousule 2 van Deel IV van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 1552 van 27 Julie 1984, soos gewysig, verleng en herbekragtig by Goewermentskennisgewings Nos. R. 230 van 8 Februarie 1985, R. 1578 van 19 Julie 1985, R. 1003 van 23 Mei 1986, R. 1743 van 22 Augustus 1986, R. 1799 van 21 Augustus 1987, R. 1232 van 24 Junie 1988, R. 248 van 17 Februarie 1989, R. 1916 van 1 September 1989, R. 1829 van 3 Augustus 1990, R. 793 van 19 April 1991, R. 2 van 3 Januarie 1992, R. 550 van 2 April 1993, R. 535 van 25 Maart 1994 en R. 266 van 24 Februarie 1995 (hierna die Vorige Ooreenkoms genoem), en soos van tyd tot tyd gewysig, verleng, hernieu en herbekragtig, is van toepassing op werkgewers en werknemers.

4. ALGEMENE BEPALINGS

Die bepalinge van Dele I, II en III en klousules 1 en 3 van Deel IV van die Vorige Ooreenkoms (soos van tyd tot tyd gewysig, verleng en herbekragtig) is van toepassing op werkgewers en werknemers.

DEEL II

5. KLOUSULE 1: BYDRAES

(1) Vervang die bestaande subklousule (2) (a) (i) deur die volgende:

"(i) 23 sent per week ten opsigte van werknemers wat werk verrig wat ingevolge die Hoof-ooreenkoms as Loon DD geklassifiseer is of waar sodanige klassifikasie nie van toepassing is nie, 'n uurloon van R8,73 of minder ontvang;"

(2) Vervang die bestaande subklousule (2) (a) (ii) deur die volgende:

"(ii) 43 sent per week ten opsigte van werknemers wat werk verrig wat ingevolge die Hoof-ooreenkoms laer as Loon DD of hoër geklassifiseer is, of, waar sodanige klassifikasie nie van toepassing is nie, 'n uurloon van meer as R8,73 ontvang."

(3) Vervang die bestaande subklousule (3) deur die volgende:

"(3) In 'n bedryfsinrigting waarin die totale bedrag wat ingevolge subklousule (2) (a) en (b) hiervan aan die Raad betaalbaar is, minder is as R23 per maand, moet die werkgewer die bedrag aanvul tot R23 en daardie bedrag elke maand aan die Raad stuur."

Namens die Partye op hede die 23ste dag van Januarie 1996 te Johannesburg onderteken.

A. T. ALLEN

Ondervoorsitter

B. ANGUS

Lid

D. G. LEVY

Hoofsekretaris

No. R. 297

23 February 1996

UNEMPLOYMENT INSURANCE ACT, 1966

AMENDMENT OF REGULATIONS

The Minister of Labour has, under section 62 of the Unemployment Insurance Act, 1966 (Act No. 30 of 1966), made the regulations set out in the Schedule hereto.

SCHEDULE**Definition**

1. In these regulations "the Regulations" means the regulations published under Government Notice No. R. 849 of 29 April 1983, as amended by Government Notices Nos. R. 1235 of 17 June 1983, R. 2613 of 2 December 1983, R. 2775 of 21 December 1984, R. 2487 of 8 November 1985, R. 901 of 16 May 1986, R. 1114 of 6 June 1986, R. 2427 of 21 November 1986, R. 2161 of 2 October 1987, R. 2412 of 30 October 1987, R. 2667 of 4 December 1987, R. 419 of 11 March 1988, R. 960 of 20 May 1988, R. 2115 of 21 October 1988, R. 272 of 24 February 1989, R. 1707 of 27 July 1990, R. 2962 of 21 December 1990, R. 1884 of 9 August 1991, R. 2585 of 11 September 1992, R. 2936 of 23 October 1992, R. 643 of 16 April 1993, R. 1447 of 13 August 1993, R. 1976 of 22 October 1993, R. 2054 of 29 October 1993 and R. 1701 of 3 November 1995.

Amendment of regulation 4 of the Regulations

2. Regulation 4 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) A member of the board or of a committee, other than a member who is an officer, shall be paid a remuneration or allowance of, in the case of a board member, R50,00 per hour with a maximum of R399,00 per day and, in the case of a committee member, R40,00 per hour with a maximum of R314,00 per day, in respect of every hour during which such member attends or travels to or from a meeting of the board or of a committee, as the case may be."

Commencement

3. The amendment of regulation 4 (1) of the Regulations comes into operation on 1 March 1996.

No. R. 297

23 Februarie 1996

WERKLOOSHEIDVERSEKERINGSWET, 1966

WYSIGING VAN REGULASIES

Die Minister van Arbeid het kragtens artikel 62 van die Werkloosheidversekeringswet, 1966 (Wet No. 30 van 1966), die regulasies in die Bylae hierby, uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie regulasies beteken "die regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 849 van 29 April 1983, soos gewysig deur Goewermentskennisgewings Nos. R. 1235 van 17 Junie 1983, R. 2613 van 2 Desember 1983, R. 2775 van 21 Desember 1984, R. 2487 van 8 November 1985, R. 901 van 16 Mei 1986, R. 1114 van 6 Junie 1986, R. 2427 van 21 November 1986, R. 2161 van 2 Oktober 1987, R. 2412 van 30 Oktober 1987, R. 2667 van 4 Desember 1987, R. 419 van 11 Maart 1988, R. 960 van 20 Mei 1988, R. 2115 van 21 Oktober 1988, R. 272 van 24 Februarie 1989, R. 1707 van 27 Julie 1990, R. 2962 van 21 Desember 1990, R. 1884 van 9 Augustus 1991, R. 2585 van 11 September 1992, R. 2936 van 23 Oktober 1992, R. 643 van 16 April 1993, R. 1447 van 13 Augustus 1993, R. 1976 van 22 Oktober 1993, R. 2054 van 29 Oktober 1993 en R. 1701 van 3 November 1995.

Wysiging van regulasie 4 van die Regulasies

2. Regulasie 4 van die Regulasies word hierby gewysig deur subregulasie (1) deur die volgende subregulasie te vervang:

"(1) 'n Lid van die raad of van 'n komitee, uitgesonderd 'n lid wat 'n beamppte is, word 'n toelae of besoldiging betaal van, in die geval van 'n raadslid, R50,00 per uur met 'n maksimum van R399,00 per dag en, in die geval van 'n komiteelid, R40,00 per uur met 'n maksimum van R314,00 per dag, ten opsigte van elke uur waartydens so 'n lid 'n vergadering van die raad of van 'n komitee, na gelang van die geval, bywoon of daarheen of daarvandaan reis."

Inwerkingtreding

3. Die wysiging van regulasie 4 (1) van die Regulasies tree op 1 Maart 1996 in werking.

IMPORTANT ANNOUNCEMENT**Closing times** **PRIOR TO PUBLIC HOLIDAYS** for
LEGAL NOTICES
GOVERNMENT NOTICES **1996**

The closing time is **15:00** sharp on the following days:

- ▶ **14 March**, Thursday, for the issue of Friday **22 March**
- ▶ **28 March**, Thursday, for the issue of Thursday **4 April**
- ▶ **3 April**, Wednesday, for the issue of Friday **12 April**
- ▶ **25 April**, Thursday, for the issue of Friday **3 May**
- ▶ **13 June**, Thursday, for the issue of Friday **21 June**
- ▶ **1 August**, Thursday, for the issue of Thursday **8 August**
- ▶ **19 September**, Thursday, for the issue of Friday **27 September**
- ▶ **12 December**, Thursday, for the issue of Friday **20 December**
- ▶ **17 December**, Wednesday, for the issue of Friday **27 December**

Late notices will be published in the subsequent issue, if under special circumstances, a late notice is being accepted, a double tariff will be charged

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BELANGRIKE AANKONDIGING**Sluitingstye** **VOOR VAKANSIEDAE** vir
WETLIKE KENNISGEWINGS
GOEWERMENSKENNISGEWINGS **1996**

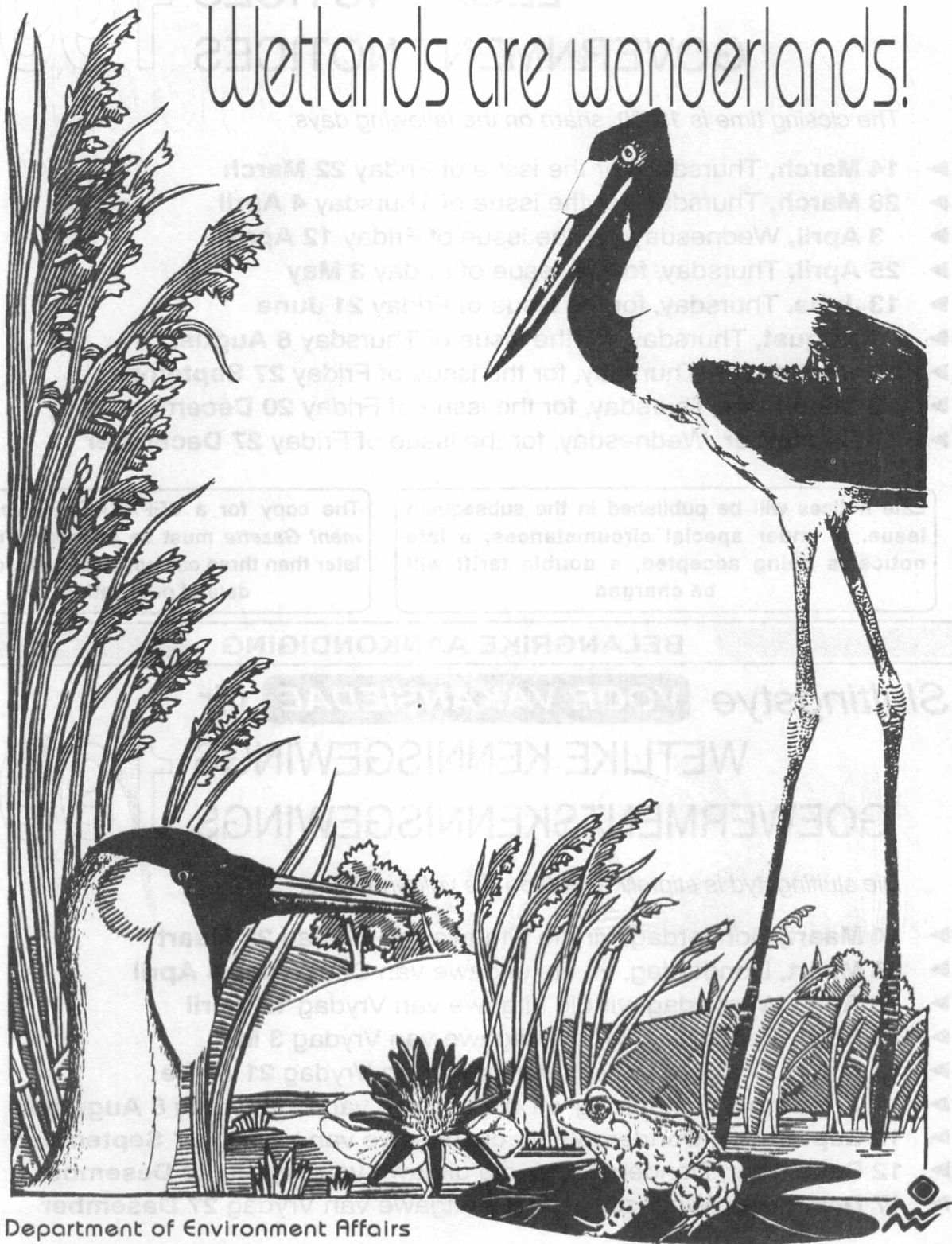
Die sluitingstyd is stiptelik **15:00** op die volgende dae:

- ▶ **14 Maart**, Donderdag, vir die uitgawe van Vrydag **22 Maart**
- ▶ **28 Maart**, Donderdag, vir die uitgawe van Donderdag **4 April**
- ▶ **3 April**, Woensdag, vir die uitgawe van Vrydag **12 April**
- ▶ **25 April**, Donderdag, vir die uitgawe van Vrydag **3 Mei**
- ▶ **13 Junie**, Donderdag, vir die uitgawe van Vrydag **21 Junie**
- ▶ **1 Augustus**, Donderdag, vir die uitgawe van Donderdag **8 Augustus**
- ▶ **19 September**, Donderdag, vir die uitgawe van Vrydag **27 September**
- ▶ **12 Desember**, Donderdag, vir die uitgawe van Vrydag **20 Desember**
- ▶ **17 Desember**, Woensdag, vir die uitgawe van Vrydag **27 Desember**

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word, sal 'n dubbeltarief gehef word.

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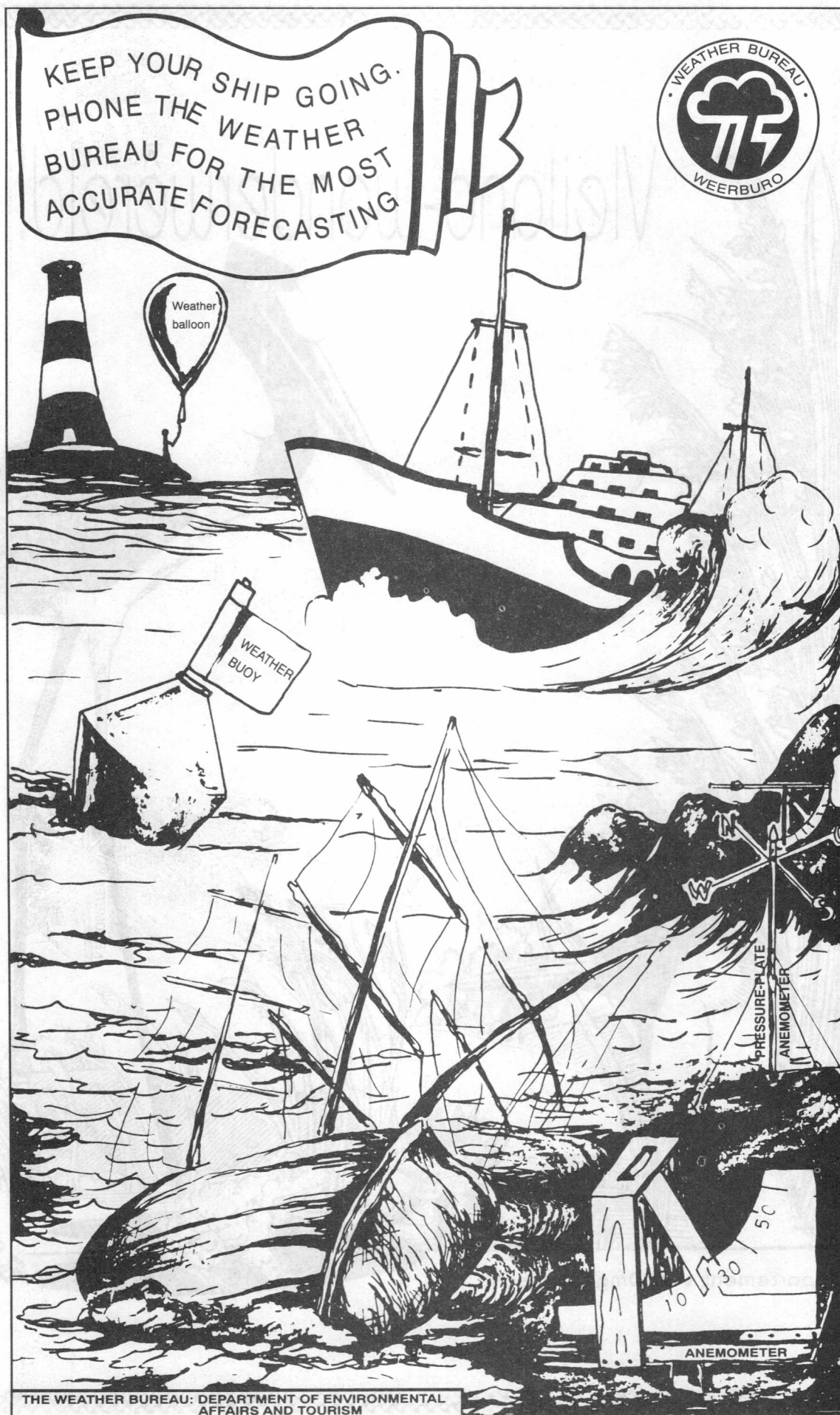


Department of Environment Affairs

Vleiland-wonderwêreld!

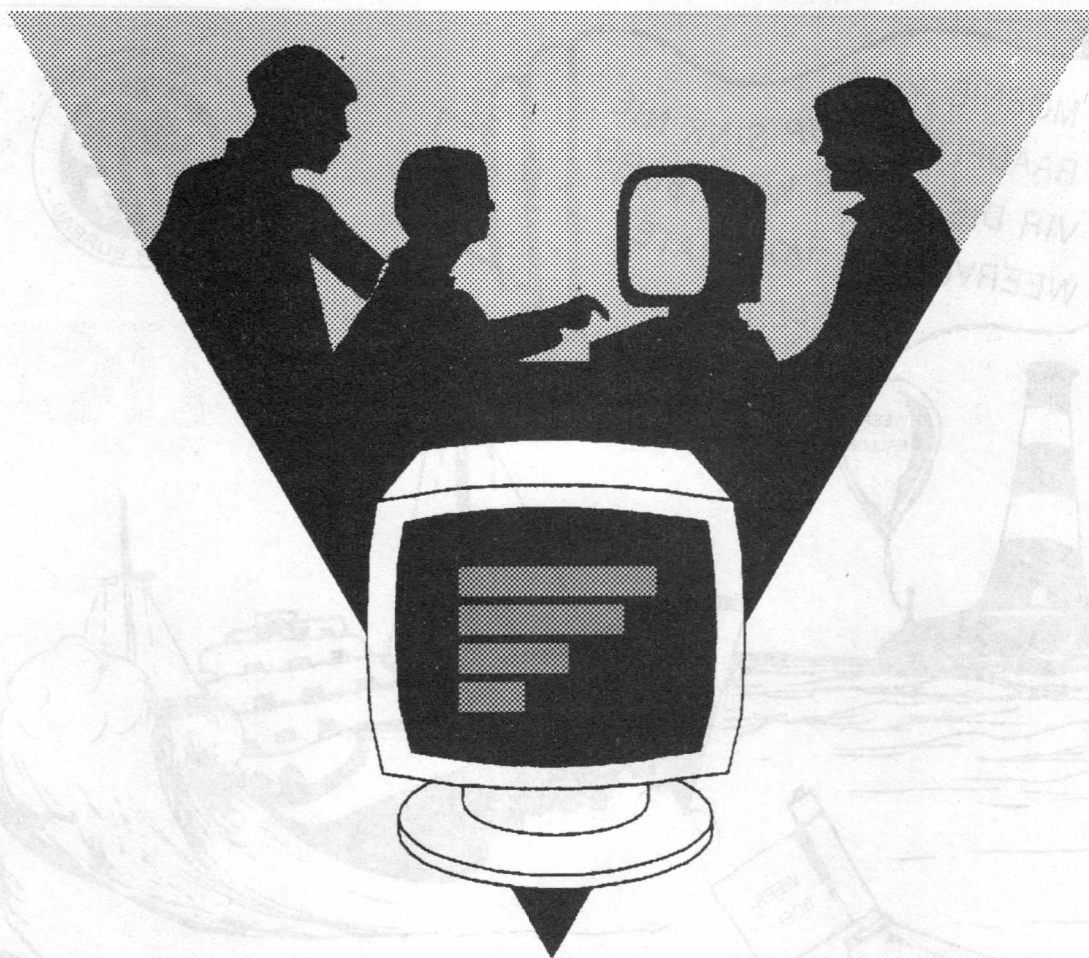


Departement van Omgewingsake





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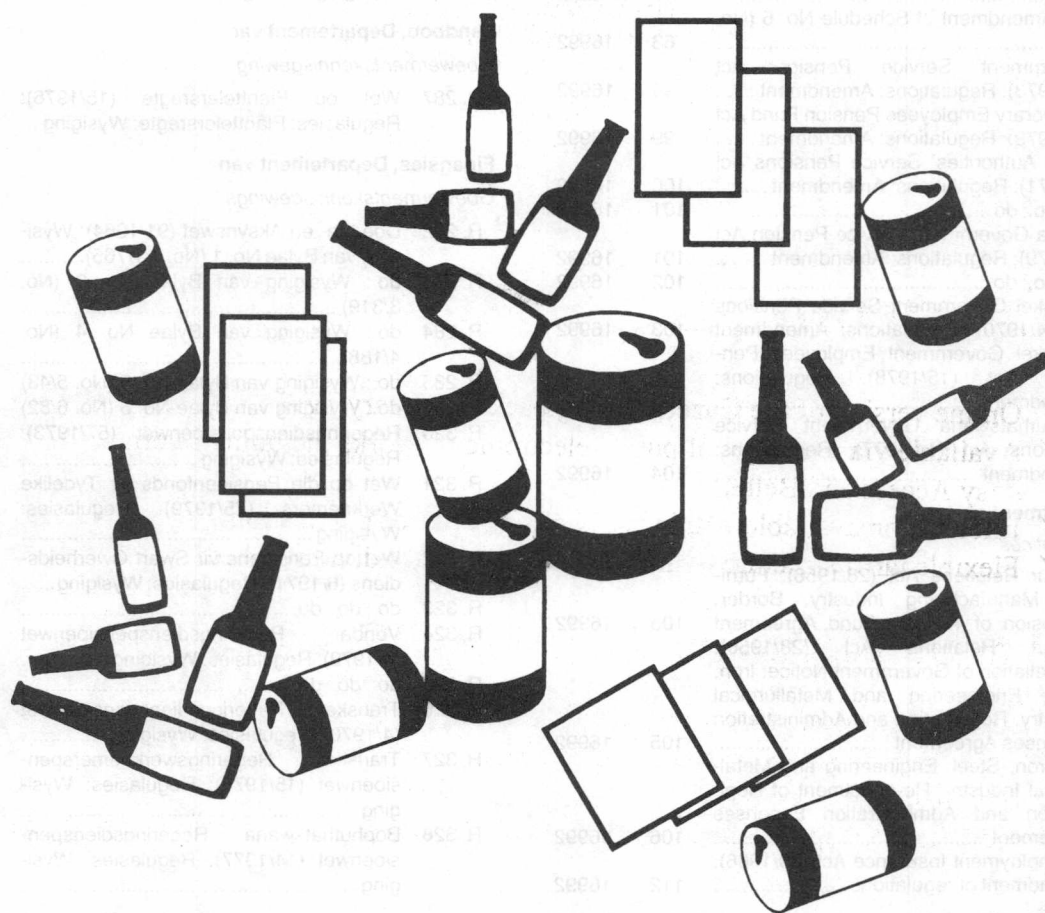
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