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IMPORTANT

Information

from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.



GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.



DO use the new Adobe Forms for your notice request. These new forms can be found on our website: www.gpwonline.co.za under the Gazette Services page.

DO attach documents separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment)

DO specify your requested publication date.

DO send us the electronic Adobe form. (There is no need to print and scan it).

DON'T submit request as a single PDF containing all other documents, i.e. form, proof of payment & notice content, it will be **FAILED** by our new system.

DON'T print and scan the electronic Adobe form.

DON'T send queries or RFQ's to the submit.egazette mailbox.

DON'T send bad quality documents to GPW. (Check that documents are clear and can be read)



Form Completion Rules

No.	Rule Description	Explanation/example
1.	All forms must be completed in the chosen language.	GPW does not take responsibility for translation of notice content.
2.	All forms must be completed in sentence case, i.e. No fields should be completed in all uppercase.	e.g. "The company is called XYZ Production Works"
3.	No single line text fields should end with any punctuation, unless the last word is an abbreviation.	e.g. "Pty Ltd.", e.g. Do not end an address field, company name, etc. with a period (.) comma (,) etc.
4.	Multi line fields should not have additional hard returns at the end of lines or the field itself.	This causes unwanted line breaks in the final output, e.g. <ul style="list-style-type: none"> Do not type as: 43 Bloubokrand Street Putsonderwater 1923 Text should be entered as: 43 Bloubokrand Street, Putsonderwater, 1923
5.	Grid fields (Used for dates, ID Numbers, Telephone No., etc.)	<ul style="list-style-type: none"> Date fields are verified against format CCYY-MM-DD Time fields are verified against format HH:MM Telephone/Fax Numbers are not verified and allow for any of the following formats limited to 13 characters: including brackets, hyphens, and spaces <ul style="list-style-type: none"> o 0123679089 o (012) 3679089 o (012)367-9089
6.	Copy/Paste from other documents/text editors into the text blocks on forms.	<ul style="list-style-type: none"> Avoid using this option as it carries the original formatting, i.e. font type, size, line spacing, etc. Do not include company letterheads, logos, headers, footers, etc. in text block fields.



No.	Rule Description	Explanation/example
7.	Rich text fields (fields that allow for text formatting)	<ul style="list-style-type: none"> • Font type should remain as Arial • Font size should remain unchanged at 9pt • Line spacing should remain at the default of 1.0 • The following formatting is allowed: <ul style="list-style-type: none"> ○ Bold ○ Italic ○ Underline ○ Superscript ○ Subscript • Do not use tabs and bullets, or repeated spaces in lieu of tabs and indents • Text justification is allowed: <ul style="list-style-type: none"> ○ Left ○ Right ○ Center ○ Full • Do not use additional hard or soft returns at the end of line/paragraphs. The paragraph breaks are automatically applied by the output software <ul style="list-style-type: none"> ○ Allow the text to wrap automatically to the next line only use single hard return to indicate the next paragraph ○ Numbered lists are allowed, but no special formatting is applied. It maintains the standard paragraph styling of the gazette, i.e. first line is indented.
	<p>e.g.</p> <ol style="list-style-type: none"> 1. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river. 2. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river. 	



You can find the **new electronic Adobe Forms** on the website www.gpwonline.co.za under the Gazette Services page.

For any **queries or quotations**, please contact the **eGazette Contact Centre** on 012-748 6200 or email info.egazette@gpw.gov.za

Disclaimer

Government Printing Works does not accept responsibility for notice requests submitted through the discontinued channels as well as for the quality and accuracy of information, or incorrectly captured information and will not amend information supplied.

GPW will not be held responsible for notices not published due to non-compliance and/or late submission.

DISCLAIMER:

Government Printing Works reserves the right to apply the 25% discount to all Legal and Liquor notices that comply with the business rules for notice submissions for publication in gazettes.

National, Provincial, Road Carrier Permits and Tender notices will pay the price as published in the Government Gazettes.

For any information, please contact the eGazette Contact Centre on 012-748 6200 or email info.egazette@gpw.gov.za

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IMPORTANT ANNOUNCEMENT

Closing times **PRIORTOPUBLICHOLIDAYS** for GOVERNMENT NOTICES, GENERAL NOTICES, REGULATION NOTICES AND PROCLAMATIONS

2015

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

- **26 March**, Thursday, for the issue of Thursday **2 April 2015**
- **31 March**, Tuesday, for the issue of Friday **10 April 2015**
- **22 April**, Wednesday, for the issue of Thursday **30 April 2015**
- **30 April**, Thursday, for the issue of Friday **8 May 2015**
- **11 June**, Thursday, for the issue of Friday **19 June 2015**
- **6 August**, Thursday, for the issue of Friday **14 August 2015**
- **17 September**, Thursday, for the issue of Friday **25 September 2015**
- **10 December**, Thursday, for the issue of Friday **18 December 2015**
- **15 December**, Tuesday, for the issue of Thursday **24 December 2015**
- **22 December**, Tuesday, for the issue of Thursday **31 December 2015**
- **30 December**, Wednesday, for the issue of Friday **8 January 2016**

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

The copy for a SEPARATE Government Gazette must be handed in not later than three calendar weeks before date of publication

BELANGRIKE AANKONDIGING

Sluitingstye **VOOR VAKANSIEDAE** vir GOEWERMENTS-, ALGEMENE- & REGULASIE- KENNISGEWINGS ASOOK PROKLAMASIES

2015

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

- **26 Maart**, Donderdag, vir die uitgawe van Donderdag **2 April 2015**
- **31 Maart**, Dinsdag, vir die uitgawe van Vrydag **10 April 2015**
- **22 April**, Wednesday, vir die uitgawe van Donderdag **30 April 2015**
- **30 April**, Donderdag, vir die uitgawe van Vrydag **8 Mei 2015**
- **11 Junie**, Donderdag, vir die uitgawe van Vrydag **19 Junie 2015**
- **6 Augustus**, Donderdag, vir die uitgawe van Vrydag **14 Augustus 2015**
- **17 September**, Donderdag, vir die uitgawe van Vrydag **25 September 2015**
- **10 Desember**, Donderdag, vir die uitgawe van Vrydag **18 Desember 2015**
- **15 Desember**, Dinsdag, vir die uitgawe van Donderdag **24 Desember 2015**
- **22 Desember**, Dinsdag, vir die uitgawe van Donderdag **31 Desember 2015**
- **30 Desember**, Wednesday, vir die uitgawe van Vrydag **8 Januarie 2016**

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

Wanneer 'n APARTE Staatskoerant verlang word moet die kopie drie kalenderweke voor publikasie ingedien word

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ECONOMIC DEVELOPMENT

NO. R. 651

31 JULY 2015

Economic Development Department**International Trade Administration Commission of South Africa**

Proposed amendment to the Price Preference System (PPS) Policy Guidelines published in Government Gazette No. 37992, Notice R. 714 on 12 September 2014 on the Exportation of Ferrous and Non-Ferrous Waste and Scrap (“the Guidelines”).

With regard to the calculation of the discount price at which copper and brass waste and scrap must be offered for sale to the domestic consuming industry, the intention of the Commission is to discontinue using Scrap Index.com as the price index for calculating the discount prices for the different grades of copper and brass waste and scrap. Scrap Index.com prices are to be replaced by the London Metal Exchange index price of copper (LME full price) as the starting point for calculating the price preference for the *COPPER ISRI grades* and for the *BRASS ISRI grades* as listed here-under. ITAC reserves the right to extend the list to include more/other grades.

COPPER ISRI grades	Percentage of Copper LME full price (excluding 20% PPS discount)	BRASS ISRI grades	Percentage of Copper LME full price (excluding 20% PPS discount)
BARLEY	98	DRINK	56
BERRY	96	EBONY	88
BERYLLIUM	71	ENERV	61
BIRCH	89	GRAPE	70
CANDY	98	HONEY	65
CLIFF	87	LABLE	89
CLOVE	98	MALIC	84
COBRA	91	MIXED BRASS & BRONZE	65
COCOA	89	NIECE	54
COPPER TURNINGS	76	NOMAD	43
DREAM	76	OCEAN	52
DRUID	33	PARCH	78

The preference price of each of the grades referred to above will be calculated as a percentage of the virgin copper content of Copper LME Full Price per grade, and then 20 percent thereof deducted, which will serve as the Price Preference Discount Price at which the different grades of copper and brass waste and scrap must be offered for sale to the domestic consuming industry as identified in the Guidelines.

Comments on the proposal must be submitted within a period of 14 days from the publication of this notice to:

Enquiries

Mr D Mitchell, e-mail: dmitchell@itac.org.za.

The International Trade Administration Commission of South Africa
Acting Senior Manager: Import and Export Control
Private Bag X192
Pretoria
0001

DEPARTMENT OF ECONOMIC DEVELOPMENT

NO. R. 652

31 JULY 2015

AMENDED TARIFF INVESTIGATIONS REGULATIONS

By virtue of the powers vested in me in terms of section 59 of the International Trade Administration Act, 2002 (Act No. 71 of 2002), I, Ebrahim Patel, Minister of Economic Development, hereby amend the Tariff Investigations Regulations published under Government Notice No. R. 397 in Government Gazette No. 28767 of 28 April 2006, by the amendment of all sections, through the Amended Tariff Investigations Regulations going herewith.



EBRAHIM PATEL

MINISTER OF ECONOMIC DEVELOPMENT

REPUBLIC OF SOUTH AFRICA

THE INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA

AMENDED TARIFF INVESTIGATIONS REGULATIONS

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REGULATIONS

Part A – Definitions

1. Definitions

“**Act**” means the International Trade Administration Act, 2002 (Act No. 71 of 2002), as amended from time to time.

“**applicant**” means a domestic party submitting an application as provided for in section 6 for purposes of initiating an investigation.

“**Commission**” means the International Trade Administration Commission of South Africa established in terms of section 7 of the Act.

“**correspondence**” means any written communication by a party submitted by hand delivery, mail, facsimile or electronically to the Commission for purposes of an investigation.

“**customs duty**” means any duty leviable under Part 1 of Schedule No. 1 to the Customs and Excise Act, 1964 (Act No. 91 of 1964) on imported goods.

“**deadline**” means the final date for submissions, responses, comments and requests and the like to the Commission as envisaged by the different sections of these regulations, and shall be deemed to be at 15h00 South African standard time on such date, unless expressly otherwise indicated.

“**domestic**” as used in these regulations relates to industries within the SACU.

“**good cause**” for an extension of the deadline for the submission of information, as referred to in sections 12.4 and 20.4, does not include merely citing insufficient time to complete a response.

“**interested parties**” may include known –

- (a) SACU producers;
- (b) SACU exporters;
- (c) SACU importers;
- (d) trade or business associations whose members are SACU producers, exporters or importers; and
- (e) trade unions whose members are employees of SACU producers.

This does not preclude the Commission from accepting, on its own initiative or upon request, other parties as interested parties in an investigation.

“**Minister**” means the member of the Cabinet, which body is referred to in section 91 of the Constitution, responsible for trade and industry.

“**rate of effective protection**” means the rate of protection applicable to the value added process given the nominal rates of duty protection on the input materials and the end product.

“**SACU**” means, as per the SACU Agreement of 2002, the Southern African Customs Union between –

- (a) the Republic of Botswana;
- (b) the Kingdom of Lesotho;
- (c) the Republic of Namibia;
- (d) the Republic of South Africa; and
- (e) the Kingdom of Swaziland.

“**SACU Agreement**” means the Agreement establishing SACU, as referred to in the Act.

“**Tariff Board**” means the SACU Tariff Board established by Article 7 of the SACU Agreement.

Part B – General Provisions

2. Scope of regulations

These regulations apply exclusively to investigations, and the applications that form part of such investigations, for –

- (a) the reduction or increase in the rate of a customs duty; and
- (b) the creation, amendment or removal of rebate or drawback provisions with regard to a customs duty.

3. Confidentiality

3.1 A person may, when submitting correspondence to the Commission, identify information therein that the person claims is –

- (a) by nature confidential; or
 - (b) the person otherwise wishes to be recognised as confidential.
- 3.2 Parties providing information in any correspondence for which a claim of confidentiality is made as contemplated in subsection 1 shall at the same time submit non-confidential summaries thereof. These summaries shall –
- (a) indicate each instance where confidential information has been omitted and the reasons why the omitted information is confidential; and
 - (b) be in sufficient detail to permit other interested parties a reasonable understanding of the substance of the information submitted in confidence.
- 3.3 Where confidential information does not permit non-confidential summarisation as contemplated in subsection 2, a sworn statement shall be provided explaining why the confidential information cannot be summarised. Merely reciting that the confidential information is of a kind listed in subsection 4 is not sufficient in this regard.
- 3.4 The following list provides examples of “information that is by nature confidential” as per sections 1(2) and 33(1)(a) of the Act, read with section 36 of the *Promotion of Access to Information Act, 2000* (Act No. 2 of 2000):
- (a) management accounts;
 - (b) financial accounts of a private company;
 - (c) actual and individual sales prices;
 - (d) actual costs, including cost of production and importation cost;
 - (e) actual sales volumes;
 - (f) information, the release of which could have a significant adverse effect on the owner of, or the person that provided, the information; and
 - (g) information that would be of significant competitive advantage to a competitor of the owner of the information;

provided that the party submitting such information indicates it to be confidential.

- 3.5 If a person makes a claim in terms of subsection 1, the Commission shall determine whether the information is confidential as provided for in section 34 of the Act.
- 3.6 Notwithstanding subsection 4, the Commission may disregard any information indicated to be confidential that –
- (a) it does not determine to be confidential in terms of subsection 5; or
 - (b) is not accompanied by –
 - (i) a proper non-confidential summary as contemplated in subsection 2; or
 - (ii) a sworn statement as contemplated in subsection 3; andthe deficiency has not been rectified in accordance with the instructions of the Commission.
- 3.7 In determining whether to disregard information indicated to be confidential where the requirement in subsection 6(b)(i) has not been met, the Commission exercises its discretion considering, amongst others, whether the deficiency is of such a nature as to materially affect the ability of other interested parties to defend their interests.

4. Representation

- 4.1 Should an interested party wish to be represented by an outside party in an investigation, the interested party must provide the Commission with a letter of appointment of its representative, detailing the identity of the representative and the scope and duration of the representation, signed by –
- (a) its chief executive officer or other person having similar executive authority where there is no chief executive officer position; or
 - (b) a duly appointed and authorised representative of the interested party.

- 4.2 Where a letter of appointment is signed by a representative as provided for in subsection 1(b), written proof of the appointment and authorisation of the representative must also be provided.
- 4.3 Should an interested party wish to terminate a representation provided for in subsection 1 earlier than indicated in the letter of appointment provided to the Commission, such party must provide the Commission with a letter to this effect. The letter must comply with the requirements of subsections 1 and/or 2, as applicable, regarding signatures.
- 4.4 Once an interested party has appointed a representative, communications between the Commission and the interested party may take place through the appointed representative.
- 4.5 Notwithstanding subsection 4, the Commission may communicate with an interested party directly.
- 5. Oral presentations**
- 5.1 An interested party may request in writing to make an oral presentation during an investigation. As part of the request, the party shall indicate reasons for not relying on written submissions only.
- 5.2 The Commission may refuse a request for an oral presentation if, amongst others –
- (a) substantially similar information has been submitted to the Commission in the investigation;
 - (b) a written submission, in the Commission's view, adequately sets out the matter intended for an oral presentation; or
 - (c) a presentation would unduly delay the finalisation of an investigation.

- 5.3 An interested party requesting an oral presentation shall provide the Commission with a written agenda for the presentation at such time as directed by the Commission.
- 5.4 The Commission may limit or add to the agenda contemplated in subsection 3 and may structure the proceedings as it deems appropriate.
- 5.5 All information presented during an oral presentation shall be reduced to writing by the interested party making the presentation and a non-confidential version shall be provided by such party, which will be placed on the public file.

6. Submission of applications

- 6.1 Applications must be submitted in writing and in the manner and form determined by the Commission. Applications in the form of questionnaires are available on the Commission's website (www.itac.org.za). The Commission may amend the questionnaires as required in a particular matter or may forgo, in whole or in part, the use of a questionnaire, provided an applicant provides the Commission with sufficient information to allow it to reasonably understand the nature of, and the basis for, the requested investigation.
- 6.2 Where confidential information is being submitted by an applicant, a non-confidential version of the application conforming to the requirements of section 3 must be submitted with the application.
- 6.3 Applications referred to in subsection 1 must be submitted by mail, facsimile, hand delivery or electronically. If submission is made by mail, the application must be addressed to the Senior Managers: Tariff Investigations using the address indicated on Commission's website (www.itac.org.za). If submission is made by hand delivery, the application must be delivered to the Senior Managers: Tariff Investigations at the address indicated on the Commission's website (www.itac.org.za).

6.4 If an applicant submits an application by facsimile or electronically, it must also provide the Commission with the original, signed hard copy of the application in the manner provided for in subsection 3 within 14 days after the transmission of the facsimile or electronic version of the application.

7. Computation of periods of time

7.1 Computation of any period of time provided for in these regulations commences with the first day following the act, event or date initiating such period of time. The last day of the period of time is included in the computation unless such day is a Saturday, Sunday or public holiday, or such other day when the Commission is closed for business, in which case the deadline will be the next business day.

7.2 Where a deadline is indicated by these regulations or the Commission, a submission must reach the Commission by the deadline indicated.

7.3 Unless expressly otherwise provided for, a party shall be deemed to have received a written communication from the Commission –

- (a) in the case of transmission by facsimile or electronically, on the day the written communication is transmitted by the Commission;
- (b) in the case of same-day, overnight or registered mail, on the day the written communication is delivered to a party; or
- (c) in the case of regular mail, 7 working days after the written communication is placed in the post by the Commission.

8. Public file

8.1 A public file will be kept in all investigations and all non-confidential documents will be kept in this file.

8.2 The public file in an investigation may be accessed by making an appointment with the investigating official identified in the Publication

Notice of an investigation or any investigating official subsequently appointed to lead the investigation.

9. Additional information

The Commission may request or gather information at any stage of an investigation, including the application stage.

10. Assessment criteria

10.1 The Commission's evaluation of applications and its findings in investigations are based on a case-by-case approach and are informed by the industrial policy and economic objectives of government. Tariff amendments, in the form of the reduction or increase in the rate of a customs duty or the creation, amendment or removal of rebate or drawback provisions, are also conditional on a commitment by beneficiaries on how they will perform against government's set policy objectives, including plans to increase production, investment and employment.

10.2 In evaluating applications and making findings in investigations, the Commission may consider, as applicable, the following factors as these relate to the product that is the subject of the investigation:

- (a) the domestic industry's production capacity and potential;
- (b) employment, including considerations of labour intensity and labour demographics of the relevant industrial sector;
- (c) investment;
- (d) price differentials between the domestically manufactured product and the imported product;
- (e) market shares;
- (f) import and export data;
- (g) demand and supply conditions;
- (h) the financial state of the domestic industry, including profitability and return on investment ratios;
- (i) price and cost structures;

- (j) the rate of effective protection; and
- (k) the availability of a domestically manufactured identical or substitute product.

This list of factors is not exhaustive. The Commission will decide the relative weight to be given to any one factor on a case-by-case basis.

Part C – Procedures

Sub-Part I – General

11. Verifications

- 11.1 The Commission may satisfy itself as to the accuracy of the information supplied to it by any interested party by conducting verifications at such time and place as it deems necessary, including verification visits at the premises of the interested party that provided the information.
- 11.2 The Commission may inform the interested party concerned of the dates of an intended verification visit, and where such information is provided, the verification will be conducted on those dates unless such party objects to the verification.
- 11.3 In the event that the interested party to be verified is from another Member State in the SACU, the Government of the Member State and the SACU Secretariat will also be informed of the proposed date of the verification visit.
- 11.4 Where for purposes of verification an interested party –
 - (a) refuses to attend a verification or refuses to receive a verification visit by the Commission;
 - (b) refuses the Commission access to relevant information;
 - (c) fails to provide information within an applicable deadline;
 - (d) fails to supply relevant substantiating evidence required by investigating officers; or
 - (e) otherwise acts so as to materially impede the verification process;

the Commission may terminate any verification activities or proceedings and may disregard all the information submitted by that party. The Commission may nevertheless consider information received from the interested party that was properly submitted and verified.

12. Verification reports

- 12.1 Following a verification visit, the Commission shall make a verification report indicating what information was verified available to the interested party that was verified.
- 12.2 The purpose of a verification report is to allow the Commission and the interested party who was subject to the Commission's verification to identify the information that was verified by the Commission. The failure to agree on the information verified or reference in the verification report information that was verified shall not preclude the Commission from using such information in its findings.
- 12.3 The Commission will place a copy of the non-confidential verification report on the public file.
- 12.4 The interested party verified will receive 7 days to comment on the verification report. The Commission may grant a single extension upon good cause shown.

13. Investigating officials

Applications received by the Commission are allocated to investigating officials. Applicants and other parties must address all communications related to the application for the attention of the responsible investigating official.

Sub-Part II – Pre-Initiation Procedures**14. Acknowledgement of receipt**

- 14.1 Upon receipt of an application, the Commission will provide applicants with written acknowledgement of receipt by mail, facsimile or electronically.
- 14.2 The letter of acknowledgement will contain the investigating official's name and contact details to whose attention all communications must be addressed as provided for in section 13.

15. Deficient applications

- 15.1 An application may be regarded as materially deficient, and the Commission may in its discretion decide not to process the application, if one or more of the following is applicable:
- (a) The application is not in the manner and form determined by the Commission;
 - (b) The information requested in the application is not submitted;
 - (c) The application contains conflicting information;
 - (d) The application contains incorrect information; or
 - (e) The application contains confidential information and the applicant fails to provide –
 - (i) a proper non-confidential version in conformity with the requirements of section 3.2; or, where applicable
 - (ii) a sworn statement as contemplated in section 3.3
- 15.2 Notwithstanding subsection 1, where an application does not contain all the requested information because an applicant, despite reasonable efforts, was not able to obtain the information or has only similar information, the Commission may exercise its discretion whether to regard the application as materially deficient.
- 15.3 In the case of a deficient application, the Commission shall inform an applicant in writing that the application is deficient.

- 15.4 An applicant who submitted a deficient application must provide the Commission with a corrected application and/or a proper non-confidential version or sworn statement within the time period indicated in the Commission's deficiency letter provided for in subsection 3.
- 15.5 If an applicant fails to provide the Commission with a corrected application and/or a proper non-confidential version or sworn statement within the time period provided for in the Commission's deficiency letter, the Commission will refer the application back to the applicant.

Sub-Part III – Preliminary Investigation Phase

16. Preliminary Commission evaluation of an application

- 16.1 Once an application has been accepted as duly completed, the Commission shall evaluate whether to accept or reject the application.
- 16.2 If the Commission accepts an application, it shall publish a notice as provided for in section 17.1.
- 16.3 If the Commission rejects an application, the applicant shall be informed in writing of the decision and the reasons therefore.

17. Initiation

- 17.1 An investigation is initiated by means of a Publication Notice in the *Government Gazette* where –
- (a) the Commission has accepted an application, as provided for in section 16.2; or
 - (b) the Commission is self-initiating an investigation.
- 17.2 In instances of self-initiation by the Commission, there will not be an application as provided for in section 6.

17.3 The Commission may self-initiate an investigation for a number of reasons, including, but not limited to, the following:

- (a) to review the customs duty related to a product or a range of products; or
- (b) upon request by a government entity.

18. Publication notice

18.1 The Publication Notice initiating an investigation will ordinarily contain the following information:

- (a) the name of the applicant;
- (b) the nature of the application;
- (c) a summary of the stated reasons for the application;
- (d) the name and contact details of the investigating official;
- (e) the reference number of the application; and
- (f) the time period for interested parties to comment.

18.2 The Commission shall inform the SACU Secretariat of its decision to initiate an investigation. The Commission may also directly inform known industry associations, trade unions and other role players within the affected industry of the initiation decision.

18.3 Subsequent to the publication referred to in section 17.1, interested parties may request the non-confidential version of the application referred to in section 6. The non-confidential version of the application will also be available on the public file referred to in section 8.

19. Termination of an investigation

19.1 If an applicant withdraws its application after an investigation has been initiated, the Commission may –

- (a) terminate the investigation at any time thereafter; or
- (b) disregard the withdrawal of the application and continue with the investigation.

- 19.2 If the Commission disregards the withdrawal of an application and continues with an investigation as contemplated in subsection 1(b), it shall inform all known interested parties of the reasons for its decision and continue the investigation in its own name.
- 19.3 If the Commission has self-initiated an investigation, it may terminate the investigation at any time.

Sub-Part IV – Final Investigation Phase

20. Comments on publication notice

- 20.1 Comments must be in writing and may be submitted by hand, mail, facsimile or electronically, and must be received by the Commission by the date indicated in the Publication Notice.
- 20.2 If the comments referred to in subsection 1 are confidential, a non-confidential version of the comments, conforming to the requirements of section 3, must be submitted with the confidential comments.
- 20.3 Comments that are not accompanied by a non-confidential version or are not otherwise clearly indicated to be confidential may be treated as non-confidential.
- 20.4 The Commission may grant a single extension of the comment period provided for in subsection 1 on good cause shown. This extension will not be longer than 14 days except under exceptional circumstances as approved by the Commission.
- 20.5 Any request for an extension must be submitted in writing normally at least 2 days prior to the deadline provided for in subsection 1, and must contain a detailed motivation for the request.
- 20.6 Any extension granted in terms of subsection 5 will apply only to the party to which such extension was granted and will not apply to other parties.

21. Deficiencies in comments received

- 21.1 Comments submitted in terms of section 20 that contain confidential information will be deemed deficient if not accompanied by, as applicable –
- (a) a proper non-confidential version in conformity with the requirements of section 3.2; or
 - (b) a sworn statement as contemplated in section 3.3.
- 21.2 The Commission will provide an interested party with a letter indicating any deficiencies in terms of subsection 1. The Commission's deficiency letter will set out the time period in which to address any deficiencies.
- 21.3 The Commission may disregard comments that are deficient after the deadline contemplated in subsection 2 for the purpose of its final finding.

22. Final Commission evaluation of an application and finding

- 22.1 The Commission shall evaluate the information obtained in connection with an investigation and shall forward a final finding in the form of a recommendation to approve or reject an application, together with a ministerial minute or a report setting forth the results of its evaluation, to the Minister, unless the provisions of section 64(2) of the Act are in operation, in which case such recommendation and report shall also be forwarded to the SACU Tariff Board.
- 22.2 The Commission shall inform an applicant in writing of, as applicable –
- (a) the approval of its application and the reasons therefore after the Minister has considered the Commission's recommendation and made a decision to approve the application and the Minister's decision has been implemented by the South African Revenue

Service through the publication of a notice in the *Government Gazette*; or

- (b) the rejection of its applications and the reasons therefore after the Minister has considered the Commission's recommendation and made a decision to reject the application.

- 22.3 The Commission will publish the outcome of its investigations on its official website after the relevant action by the Minister and/or the South African Revenue Service contemplated in subsection 2 has been taken.

Part D – Final Provisions

23. Submission of same or substantially similar applications

- 23.1 The Commission will not accept, except under exceptional circumstances, an application for evaluation under section 16 that deals with the same or a substantially similar matter to that of an application submitted to and evaluated by the Commission earlier in time under section 16 until the expiry of 12 months after the date on which, as applicable –

- (a) the application submitted earlier in time was rejected pursuant to section 16; or
- (b) the Minister made a decision on the application as contemplated in section 22.

- 23.2 Subsection 1 is not applicable to investigations self-initiated by the Commission in terms of section 17.1.

24. Delegation

Other than the decision-making powers concerning the evaluation whether to accept or reject an application as provided for in section 16, the initiation of investigations as provided for in section 17 and the Commission's final finding as provided for in section 22, the

Commission may delegate and the Commission staff may perform any of the functions in respect of customs duty investigations provided for in these regulations.

25. Application of Regulations

These regulations shall apply to all applications and investigations provided for in section 2 that were received or initiated after their promulgation.

SOUTH AFRICAN REVENUE SERVICE

NO. R. 653

31 JULY 2015

CUSTOMS AND EXCISE ACT, 1964
 AMENDMENT OF SCHEDULE NO. 6 (NO. 61/2015)

In terms of section 75 of the Customs and Excise Act, 1964, Part 1D of Schedule No. 6 to the said Act is hereby amended to the extent set out in the Schedule hereto.



M. JONAS
 DEPUTY MINISTER OF FINANCE

SCHEDULE

By the deletion of the following:

Rebate Item	Tariff Item	Rebate Code	CD	Description	Extent of Rebate	Extent of Refund
621.13	104.23.03	01.01	71	Spirits obtained by distilling grape wine or grape marc	Full duty	

By the insertion of the following:

Rebate Item	Tariff Item	Rebate Code	CD	Description	Extent of Rebate	Extent of Refund
621.13	104.21.01	01.01	73	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 per cent vol. or higher, obtained by distilling grape wine or grape marc	Full duty	
621.13	104.23.03	02.01	76	Spirits obtained by distilling grape wine or grape marc	Full duty	

SUID-AFRIKAANSE INKOMSTEDIENS

DOEAANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 6 (NO. 619069)

Kragtens artikel 75 van die Doeaane- en Aksynswet, 1964, word Deel 1D van Bylae No. 6 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.



M. JONAS
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die skraping van die volgende:

Kortingtem	Tariefitem	Kortingkode	TS	Beskrywing	Mate van Korting	Mate van Terugbetaling
621.13	104.23.03	01.01	71	Spiritus verkry deur die distillering van druiwewyn of druiwemoer	Volle reg	

Deur die invoeging van die volgende:

Kortingtem	Tariefitem	Kortingkode	TS	Beskrywing	Mate van Korting	Mate van Terugbetaling
621.13	104.21.01	01.01	73	Ongedensureerde etielalkohol met 'n alkoholsterkte volgens volume van 80 persent vol. of meer, verkry deur die distillering van druiwewyn of druiwemoer	Volle reg	
621.13	104.23.03	02.01	76	Spiritus verkry deur die distillering van druiwewyn of druiwemoer	Volle reg	

SOUTH AFRICAN REVENUE SERVICE

NO. R. 654

31 JULY 2015

**CUSTOMS AND EXCISE ACT, 1964
AMENDMENT OF SCHEDULE NO. 1 (NO. 11/1529)**

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



**M JONAS
DEPUTY MINISTER OF FINANCE**

SCHEDULE

By the substitution of General Note B.4 in Schedule No. 1 with the following:

4. A rate of duty applicable under any heading or tariff item to any unit of mass, measure, quantity or any other characteristic shall, unless otherwise provided for in such heading or tariff item, apply proportionately to any part of such unit except in the case of a unit of quantity described in the statistical column in Part 1 of Schedule No. 1 as "U" (number of units).

SUID-AFRIKAANSE INKOMSTEDIENS

NO. R. 654

31 JULIE 2015

Staatskoerant No.
No. R.

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1520)

Datum: 2015-07-31

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



M. JONAS
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur Algemene Opmerking B.4 in Bylae No. 1 met die volgende te vervang:

4. 'n Skaal van reg wat onder enige pos of tariefitem van toepassing is op enige eenheid van massa, maat, hoeveelheid of enige ander eienskap sal, tensy anders voorsien in sodanige pos of tariefitem, proporsioneel van toepassing wees op enige deel van sodanige eenheid, behalwe in die geval van 'n eenheid van hoeveelheid in die statistiese kolom in Deel 1 van Bylae No. 1 beskryf as "e" (aantal eenhede).

SOUTH AFRICAN REVENUE SERVICE

NO. R. 655

31 JULY 2015

CUSTOMS AND EXCISE ACT, 1964
AMENDMENT OF SCHEDULE NO. 2 (NO. 2/1588)

In terms of section 56 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 2 to the said Act is hereby amended to the extent set out in the Schedule hereto.



M. JONAS
DEPUTY MINISTER OF FINANCE

SCHEDULE

By the deletion of the following:

Item	Tariff Heading	Code	CD	Description	Rebate Items	Imported from or Originating in	Rate of Anti-dumping duty
215.02	7324.10	01.06	65	Sinks of stainless steel manufactured or produced by Pimy Corporation Ltd.		China	20.62%
215.02	7324.10	02.06	61	Sinks of stainless steel manufactured or produced by Rhine Sinkwares Manufacturing Ltd.		China	10.84%
215.02	7324.10	04.06	69	Sinks of stainless steel manufactured or produced by Central Aluminium Manufactory SDN BHD (Malaysia)		Malaysia	10.74%

By the substitution of the following:

Item	Tariff Heading	Code	CD	Description	Rebate Items	Imported from or Originating in	Rate of Anti-dumping duty
215.02	7324.10	03.06	64	Sinks of stainless steel (excluding that manufactured or produced by Tajing Chuanger Metal Products Co. Ltd.)		China	62.41%
215.02	7324.10	05.06	63	Sinks of stainless steel		Malaysia	95.88%

NO. R. 655

SUID-AFRIKAANSE INKOMSTEDIENS

31 JULIE 2015

DDEANE-EN AKSYNSWET, 1964,
WYSIGING VAN BYLAE NO. 2 (NO. 271388)

Kragtens artikel 56 van die Deane- en Aksynswet, 1964, word Deel 1 van Bylae No. 2 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangeleë.



M. JONAS
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die skraping van die volgende:

Item	Tarifpos	Kode	TS	Beskrywing	Kortingtjems	Ingevoer vanaf of Oorspronklik van	Skaal van Anti-dumpingreg
215.02	7324.10	01.06	65	Wasbakke van vlekvrystaal vervaardig of geproduseer deur Primy Corporation Ltd.		China	20,62%
215.02	7324.10	02.06	61	Wasbakke van vlekvrystaal vervaardig of geproduseer deur Rhine Sinkwares Manufacturing Ltd.		China	10,84%
215.02	7324.10	04.06	69	Wasbakke van vlekvrystaal vervaardig of geproduseer deur Central Aluminium Manufactory SDN BHD (Maleisië)		Maleisië	10,74%

Deur die vervanging van die volgende:

Item	Tarifpos	Kode	TS	Beskrywing	Kortingtjems	Ingevoer vanaf of Oorspronklik van	Skaal van Anti-dumpingreg
215.02	7324.10	03.06	64	Wasbakke van vlekvrystaal (uitgesonderd die vervaardig of geproduseer deur Tajjing Chuanger Metal Products Co. Ltd.)		China	62,41%
215.02	7324.10	05.06	63	Wasbakke van vlekvrystaal		Maleisië	95,86%

IMPORTANT Information from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

RULES

GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.



eGazette

