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GENERAL NOTICE

NOTICE 1824 OF 2006

DEPARTMENT OF AGRICULTURE

PROCEDURE FOR THE APPLICATION, ADMINISTRATION AND ALLOCATION OF REBATE PERMITS FOR THE IMPORTATION OF NATURAL HONEY FOR THE CALENDAR YEAR 2006

It is hereby made known that rebate permits will be issued to all persons interested in importing natural honey into the Republic of South Africa during the calendar year 2006, under a rebate of the full customs duty on natural honey classifiable under Tariff Heading 04.09 and under the conditions set out in the Schedule.

Masiphula Mbongwa
DIRECTOR GENERAL: AGRICULTURE

SCHEDULE

1. Definitions

- 1.1 BEE-category means companies which qualify under the Broad-Based Black Economic Empowerment Act, Act No. 53 of 2003;
- 1.2 Historical category means companies that have a proven import performance over the period of one to three years, as stipulated under item 3.4 of this schedule and item 12 of the application form.
- 1.3 "SMME" means small, medium, and micro enterprises as defined in the National Small Business Act 1996, (Act No. 102 of 1996).
- 1.4 The SMME and new importer's category means SMME's and new importers that do not qualify under the historical or BEE-category.

2. Application for rebate permits

- 2.1 Any person interested in importing natural honey must apply on a copy of the application form in the Annexure.
- 2.2 The application form is available electronically on request from DuduM@.nda.agric.za
- 2.3 When applications for rebate permits are submitted a copy of the permit issued in terms of the Agricultural Pests Act, (Act No. 36 of 1983) must be included therewith.
- 2.4 An application form will only be accepted if duly completed.
- 2.5 An applicant bears the responsibility to ensure that –

- (a) the application form reflects the correct information as requested;
- (b) the application is submitted timeously within the time period contemplated in paragraph 5.1; and
- (c) the application has been received by the Manager: Marketing Administration.

3. Conditions for the issuing of permits

3.1 Rebate permits will be issued under the following conditions:

- (a) Imported natural honey must comply with section (3) of the Agricultural Pests Act, 1983 (Act No. 36 of 1983).
- (b) Imported natural honey must be repacked in immediate packings of less than 1 000 g.
- (c) Repacked imported natural honey must comply with the stipulations of the regulations relating to the grading, packing and marking of honey and mixtures of honey intended for sale in the Republic of South Africa as published in Government Notice No. R. 835 of 25 August 2000 in terms of the Agricultural Products Standard Act, 1990 (Act No. 119 of 1990).
- (d) The importer must be a *bona fide* repacker of natural honey.

3.2 Permits will be allocated on the basis of the following categories:

- (a) 10% to BEE importers;
- (b) 20% to SMME and new importers; and
- (c) 70% to historical importers.

3.3 The allocations of the quota for permits will be done as follows:

- (a) SMME and new importers on an equal basis;
- (b) BEE importers either on an equal basis or as a historical importer, whichever will enhance government policy for BEE development; and
- (c) Historical importers in proportion to the average of the quantity imported and local take-up of honey by the applicant during the past three years to a ratio of 60:40, respectively.

3.4 The quantity imported by a historical importer will be calculated in proportion to the average of the quantity imported and local take-up by the applicant during the past three years (2003, 2004 and 2005). A detailed list of the bills of entry for the period concerned, together with a detailed list of quantities of local honey procured during the period stipulated must be submitted with the application form.

3.5 If the allocation for a particular category is not fully utilized, the balance may be re-allocated to the other categories.

3.6 Despite any provision in other law, applicants registered as joint ventures, mergers, consortiums, holding companies or other similar business arrangements are not allowed to apply separately from their subsidiaries, minority shareholders or divisions for the same product, as this will establish an unfair advantage towards other applicants.

4. Addresses for applications

4.1 Applications must –

- (a) When forwarded by post, be addressed to:

Manager: Marketing Administration
Department of Agriculture
Private Bag X15
ARCADIA 0007

(For attention: Mr G.J. Kamfer, Sefala Building, Room 703)

- (b) When delivered by hand, be delivered to:

Manager: Marketing Administration
Department of Agriculture
Sefala Building, Room 703
503 Belvedere Street
ARCADIA
PRETORIA

(For attention: Mr G.J. Kamfer)

- (c) When transmitted by facsimile, be transmitted to:

Facsimile number: (012) 319 8077
(For attention: Mr G.J. Kamfer)

Applications transmitted by facsimile must be followed up by forwarding the original application to the address contemplated in paragraph (a) or (b) to reach the Department within 14 days of the facsimile transmission.

- 4.2 Applications delivered by hand will only be accepted during the Department's official hours of 07:30 to 16:00.

5. Time period for applications

- 5.1 Applications for rebate permits must be submitted within four weeks from the date of publication of this notice.

- 5.2 Permits will be valid from 1 January 2006 to 31 December 2006.

6. General

- 6.1 Applicants must return all expired permits within 30 days after the date of expiry thereof. Applicants who do not return their expired permits timeously will not be considered for the granting of permits.

- 6.2 This notice replaces all previous notices regarding procedure for the application, administration and allocation of rebate permits for the importation of natural honey.

AFFIDAVIT

I the undersigned

do hereby make oath / affirmation and declare that:

1. I am duly authorized to depose to this affidavit on behalf of the applicant; and
2. The particulars contained in the application form are true and correct.

SIGNED at _____ on this _____ day of _____ 2006

DEPONENT

(to be signed in the presence of a Justice of the Peace or Commissioner of Oaths)

1. I certify that before administering the oath/affirmation, I asked the deponent the following questions and wrote down his/her answers in his/her presence.

- (1) Do you know and understand the contents of the declaration?

Answer

- (2) Do you have any objection to taking the prescribed oath?

Answer

- (3) Do you consider the prescribed oath to be binding on your conscience?

Answer

2. I certify that the deponent has acknowledged that he/she knows and understands the contents of this declaration. The deponent utters the following words: "I swear that the contents of this declaration are true so help me God" / "I truly affirm that the contents of the declaration are true." The signature/mark of the deponent is affixed to the declaration in my presence.

.....
**JUSTICE OF THE PEACE
COMMISSIONER OF OATHS**

TO BE COMPLETED BY THE JUSTICE OF THE PEACE / COMMISSIONER OF OATHS:

FULL FIRST NAMES AND SURNAME: _____
(BLOCK LETTERS)

DESIGNATION: _____

BUSINESS ADDRESS: _____
(STREET ADDRESS)

DATE: _____

PLACE: _____

ANNEXURE

APPLICATION FORM FOR REBATE IMPORT PERMIT FOR NATURAL HONEY FOR THE CALENDAR YEAR 2006

1. NAME OF IMPORTER:
2. POSTAL ADDRESS: CODE:
3. RESPONSIBLE PERSON:
4. TELEPHONE NUMBER: CODE: NUMBER: CELL NO.:
5. FAX NUMBER: CODE: NUMBER:
6. E-MAIL ADDRESS:

7. COMPANY/CC REGISTRATION NUMBER:
(NB: First time applicants: Please include a copy of the registration certificate (obtainable from the Department of Trade and Industry (DTI))

8. CUSTOMS CODE NO.:
(NB: First time applicants: Please include a copy of the Customs Code Certificate (obtainable from SARS).

9. INDICATE PRINCIPAL BUSINESS:
- | | | | | |
|-------|----------|-----------|----------|-------|
| AGENT | REPACKER | PROCESSOR | RETAILER | OTHER |
|-------|----------|-----------|----------|-------|

If other, specify:.....

10. CLASSIFICATION OF CATEGORIES:

For classification into categories (see Item 1, 3.2 and 3.3 of schedule) please complete:-

*BEE CRITERIA	HISTORICAL CATEGORY	BEE-CATEGORY	SMME AND NEW IMPORTER'S CATEGORY
1. Ownership	Turnover:.....	Turnover:.....	Turnover:.....
2. Management	.....	.....	.....
3. Skills Development	.....	.....	.....
4. Preferential Procurement	Capital Investment.....	Capital Investment.....	Capital Investment.....
5. Employment Equity	.....	.....	.....
6. Enterprise Development	Permanent Employees.....	Permanent Employees	Permanent Employees.....
7. Corporate Social Investment	.....	.....	.....

* According to the Broad-Based Black Economic Empowerment Act, Act No. 53 of 2003 – indicate compliance with the criteria

11. APPLICATION – SUBMISSION FOR THE PERIOD 1 JANUARY 2006 – 31 DECEMBER 2006:

TARIFF HEADING OF PRODUCT	DESCRIPTION OF PRODUCT	QUANTITY APPLYING FOR: Tonne

12. Summary of BILLS OF ENTRY Quantity imported over the past three years (first time applicants and where applicable) PLEASE NOTE: A detailed list of bills of entry (not copies of documents) must be attached to this application form.

TARIFF HEADING	TOTAL FOR 2003	TOTAL FOR 2004	TOTAL FOR 2005

13. Summary of Local take – up of Honey. PLEASE NOTE: A detailed list of producers, specified transaction dates and quantities for the period 2003 to 2005 must be submitted for verification.

PRODUCT	TAKE-UP FOR 2003	TAKE-UP FOR 2004	TAKE-UP FOR 2005

PLEASE COMPLETE AFFIDAVIT ON THE NEXT PAGE. THE AFFIDAVIT ON THE NEXT PAGE IS AN INSEPARABLE PART OF THE APPLICATION FORM AND MUST BE SUBMITTED WITH THE APPLICATION