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ECONOMIC DEVELOPMENT DEPARTMENT

NO. R. 1211

11 DECEMBER 2015

International Trade Administration Commission of South Africa

Proposed amendments 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").

That the contents of paragraph 7.1. of the Guidelines be replaced with the following wording:

7.1. ITAC must ensure that the type and quality of waste or scrap metal intended for export is accurately reflected on applications for export permits and that all permit applications are accompanied by a sworn affidavit deposed to by a metallurgical engineer or an otherwise suitably qualified person *in possession of a formal qualification (degree or diploma)*, confirming that the material has been physically inspected by him/her and confirming the type, grade and quantity of waste or scrap metal available for export, as well as where such waste or scrap metal may be inspected by prospective buyers (who are members of the domestic consuming industry referred to in paragraph 1 of the Guidelines).

With regard to the miscellaneous matters as published under paragraph 8 of the Guidelines, it is proposed that the following matters be added to the Guidelines directly following paragraph 8.7.

- 8.8 An extract from the second-hand goods register kept in terms of the Second-Hand Goods Act, 6 of 2009 (SHGA), relating to the waste and scrap metal for which a permit is being sought must accompany all applications.
- 8.9 Consignee details must be reflected on each export permit. If it is not possible for the applicant to provide full details of the consignee/foreign purchaser/s on the export permit application form, this must be done once an export permit is approved. Specifically, in the event of a permit application being approved, the exporter will be advised of the decision, the ITAC reference number, grade of the material, quantity and value. On receipt of confirmation as indicated here-in above, the exporter must submit full details of the consignee/foreign purchaser/s, including the name, physical address and country of destination to ITAC, after which an export permit will be issued in which the consignee details will be reflected.
- 8.10 Export permits issued must be fully used up before application can be made for another export permit for the same type and grade of waste or scrap metal.
- 8.11 All export documentation must be submitted to ITAC after exportation of waste or scrap metal for audit purposes. This may include documentation such as SGHA register entries for disposal, the buyer's purchase invoice, Bill of Entry for Export, Bill of Lading, SA Reserve Bank confirmation of payment received, etc.
- 8.12 The ISRI specification or grade of the waste or scrap metal must be declared on all export documentation including the Bill of Lading and the Bill of Entry for Export.
- 8.13 Export permit conditions will be aligned with enforcement controls to regulate packing of containers, designated routes and modes of transport to ports of export and designated ports of export.
- 8.14 Waste or scrap metal must be containerised on the exporter's registered and licenced premises as declared to ITAC, Export Control, and waste or scrap metal destined for export may not be containerised on any other premises not declared to ITAC in the application.
- 8.15 Exportation of containerised waste or scrap metal after obtaining a valid export permit must be conducted from the exporter's registered and licenced premises as declared to ITAC, Export Control, directly to the port of export mentioned on the export permit.
- 8.16 All waste or scrap metal must be exported via the port of Port Elizabeth, being designated by ITAC as the sole port of export, which will be reflected on each ITAC export permit as a condition.
- 8.17 A calibration certificate for each weighbridge and each scale used in the procurement and disposal of waste or scrap metal must be submitted monthly to ensure that correct quantities are declared.
- 8.18 All PPS-related transactions, including inspection of waste or scrap metal, the weighing, loading and collection of waste or scrap metal by potential buyers, must be concluded during normal office hours, being 8.00 am to 5.00 pm weekly and 8.00 am to 1.00 pm on Saturdays or public holidays (excluding religious holidays).

8.19 All export permit applicants must be in possession of an approved radiation detector to detect radio-active sources and material prior to off-loading of such sources or material. A sworn affidavit from the responsible person in this regard must be submitted to ITAC to confirm possession of such a detector in full working condition.

8.20 All applicants must meet the relevant BEE requirements and must submit the relevant BEE compliance certificates.

8.21 All payments from buyers under the PPS must be by means of electronic transfer and not in cash.

Comments on the proposals must be submitted within a period of 4 weeks from the publication of this notice to:

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