
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 1935 OF 2023

INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA

EXPORT CONTROL

EXTENSION OF THE PRICE PREFERENCE SYSTEM ON THE EXPORTATION OF FERROUS AND NON-FERROUS WASTE AND SCRAP

Price Preference System

1. On 10 May 2013, in Government Gazette Number 36451, General Notice 470, the then Minister of Economic Development issued a Trade Policy Directive to the International Trade Administration Commission of South Africa (ITAC) in terms of Section 5 of the International Trade Administration Act, 71 of 2002, (ITA Act), that ITAC exercise its powers under the ITA Act to regulate the exportation of ferrous and non-ferrous waste and scrap metal, and subsequently reviewed and extended the Trade Policy Directive from time to time (the 2013 Trade Policy Directive).
2. In accordance with the 2013 Trade Policy Directive, ITAC established the price preference system for the exportation of ferrous and non-ferrous waste and scrap metal (the "PPS") pursuant to which it would not authorise the exportation of ferrous and non-ferrous waste and scrap metal unless it had first been offered for sale for domestic beneficiation, to the domestic consuming industry, for a period and at a price discount or other formula determined by ITAC, which is set out in the Amended Export Control Guidelines on the Exportation of Ferrous and Non-Ferrous Waste and Scrap as published in General Notice 532, Government Gazette Number 43765 of 2 October 2020, as amended from time (the Guidelines).
3. On 28 July 2021 the Minister of Trade, Industry and Competition (the Minister), in Government Gazette Number 44905, Government Notice 654, extended the 2013 Trade Policy Directive for a further period of two years from 31 July 2021 until 31 July 2023.
4. On 29 July 2021 ITAC in Government Gazette Number 44906, General Notice 432, extended the Guidelines until 31 July 2023.
5. On 30 November 2022 the Minister, in Government Gazette Number 47627, Government Notice R2802, published a trade policy directive and notice in terms of sections 5 and 6 respectively of the ITA Act that:

- a. notwithstanding Government Notice R.92 published in Government Gazette Number 35007, as amended from time to time, ferrous and non-ferrous waste and scrap metal of a kind listed in the schedule to that trade policy directive and notice may not be exported from the Republic of South Africa for a temporary period of six months (from 30 November 2022 to 30 May 2023), subject to certain provisos; and
 - b. ITAC shall suspend the operation of the PPS, insofar as it relates to ferrous and non-ferrous waste and scrap metal of a kind listed in the schedule to that trade policy directive and notice, for a period of six months (from 30 November 2022 to 30 May 2023), subject to a certain proviso.
6. On 15 June 2023 the Minister, in Government Gazette Number 48791, General Notice R3552, published a trade policy directive and notice in terms of sections 5 and 6 respectively of the ITA Act that:
 - a. notwithstanding Government Notice R.92 published in Government Gazette Number 35007, as amended from time to time, ferrous and non-ferrous waste and scrap metal of a kind listed in the schedule below, may not be exported from the Republic of South Africa for a further temporary period of six months from the date of publication of that trade policy directive and notice; and
 - b. ITAC shall suspend the operation of the PPS insofar as it relates to ferrous and non-ferrous waste and scrap metal of a kind listed in the schedule below for a further temporary period of six months from the date of publication of that trade policy directive and notice or until the date on which the 2013 Trade Policy Directive terminates, whichever is the earlier.
7. On 31 July 2023 the Minister extended the 2013 Trade Policy Directive for a further period of four years from 31 July 2023 until 31 July 2027.
8. The Guidelines are herewith extended and will remain in force, in accordance with the 2013 Trade Policy Directive, until 31 July 2027.

SCHEDULE

Description of goods	Tariff heading
Ferrous waste and scrap, remelting scrap ingots of iron or steel except for (i) waste and scrap of stainless steel, and (ii) ferrous waste and scrap generated in the ordinary course of business as a by-product of a manufacturing process	72.04 (excluding 7204.21)
Copper waste and scrap	7404.00