

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. 145

23 FEBRUARY 2018

INVITATION TO SUBMIT APPLICATIONS FOR A DAFF QUOTA IMPORT PERMIT IN TERMS OF THE REBATE ITEM 460.03/0207.14.9/01.07 FOR REBATE OF THE FULL ANTI-DUMPING DUTY ON BONE-IN-CUTS OF THE SPECIES GALLUS DOMESTICUS, FROZEN, CLASSIFIABLE IN TARIFF SUBHEADING 0207.14.9 IMPORTED FROM OR ORIGINATING IN THE UNITED STATES OF AMERICA (USA)

Interested parties are hereby invited to submit their applications for DAFF import quota permits in terms of the following rebate provision as prescribed in the Government Gazette Notice No.39518 of 18 December 2015 for the period 01 April 2018 to 31 March 2019. Applications must be submitted in the format as set out in the application forms attached as an Annexure A. Completed application forms must be submitted to DAFF during the following time periods:

- a) For the First Quarter of the Quota Year valid for importation during the period 01 April to 30 June: Within two weeks from the date of publication of this notice.
- b) For the Second Quarter of the Quota Year valid for importation during the period 01 July to 30 September: From 01 to 31 May.
- c) For the Third Quarter of the Quota Year valid for importation during the period 01 October to 31 December: From 01 to 31 August.
- d) For the Fourth Quarter of the Quota Year valid for importation during the period 01 January to 31 March: From 01 to 30 November.

The quota will be allocated on a quarterly basis in equal amounts per quarter.

A valid SARS tax clearance certificate is compulsory to all applicants/clients applying for DAFF quota permit. Failure to submit will lead to disqualification.

The quota has been implemented by the creation of a rebate provision ("the Rebate Provision").

The rebate: *"A temporary rebate of the **full anti-dumping duty** on -*

Frozen meat of the species Gallus domesticus, cut in pieces with bone in, classifiable in tariff sub-heading 0207.14.9 and imported from or originating in the United States of America (USA), in such quantities, at such times and subjected to such conditions as the International Trade Administration Commission (ITAC) may allow by specific permit on recommendation of the Director General: DAFF, provided that –

- (a) *The meat subject to the provisions of this rebate item may not exceed a basic annual quota;*

- (b) *The annual quota period is 1 April to 31 March;*
- (c) *As from 1 April 2018, an annual growth factor as determined by DAFF shall be applied to the basic quota mentioned in (c) above;*
- (d) *The meat imported in terms of this rebate item may not be removed outside the Republic for consumption in any of the BLNS countries;*
- (e) *The permit is not transferable and may not be used to obtain meat to the benefit of any entity or person not named in the permit issued by ITAC;*
- (f) *This rebate item shall be suspended if any benefits that South Africa enjoyed under AGOA as at 1 November 2015 are suspended, and shall remain suspended for as long as those benefits under AGOA remain suspended; and*
- (g) *This rebate item is suspended in terms of paragraph (i) as from the date the Minister of Trade and Industry submits written confirmation to the Minister of Finance that South Africa's benefits under AGOA have been suspended."*

Neither the Quota nor the Rebate Provision will affect the payment of any other duties or taxes applicable to the importation of Bone-in Cuts, nor the import requirements in terms of any applicable legislation.

Neither the Quota nor the Rebate Provision may be used in any sunset or interim review of the Anti-Dumping Duties or otherwise to support any argument that the Anti-Dumping Duties should not be renewed, terminated, reduced or otherwise amended.

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

Companies with the same directors/owners will not be allowed to apply separately; only one application will be accepted.

The request for an extension must be made during a period commencing on the 1st day of the corresponding qualifying quarter (Q2 & Q4) and ending 12 working days before the last day of the corresponding qualifying quarter (Q2 & Q4). Where the last day of such period falls on a weekend or a public holiday, the final day to request an extension is the immediately preceding working day. To be verifiable, Applicants must submit bills of entry to document how much of a quota remains unused. Failure to comply with these requirements shall result in the denial of a request for an extension.

The applications must be delivered to the following address from 08H00 – 16H00 Monday to Friday:

Sefala building, Room No. 715,
503 Belvedere Street, Arcadia, Pretoria,
Contact person(s): Mr. Bernard Nedombeloni and Ms. Elizabeth Matlala
Contact number: (012) 319 8074 and (012) 319 8076
Facsimile number: (012) 319-8077
Email: BernardN@daff.gov.za or ElizabethMA@daff.gov.za

FEES FOR THE DAFF QUOTA ALLOCATION IMPORT PERMIT

A fee of R1025.00 per permit will be payable for permits and replacement permits issued from the 01 April 2018.

All application forms should be accompanied by proof of payment (bank deposit slip or cashier receipt).

Payment is to be made as follows:

Payment to Department of Agriculture, Forestry and Fisheries bank account
Bank: Standard Bank
Branch: Arcadia
Branch No: 01-08-45
Account No.: 013024175
Account Name: NDA: Marketing Administration-Trade Incentives

OR

Payment in cash: Department of Agriculture, Forestry and Fisheries Cashier,
Pretoria
Agricultural Place, 20 Steve Biko Drive,
Arcadia,
Block S: Room GF 14

Payment must be made per application period and no payments should be made in advance for another period.

There will be no refunds to applicants who pay more than the stipulated import permit fee and those who submit incomplete application.

MR R.M. RAMASODI
ACTING DIRECTOR-GENERAL
DATE:



ANNEXURE A

APPLICATION FORM FOR A DAFF QUOTA ALLOCATION IMPORT PERMIT FOR A QUARTERLY QUOTA UNDER REBATE ITEM 460.03/0207.14.9/01.07

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

PROVINCE	LOCAL MUNICIPALITY	DISTRICT

9. COMPANY/CC REGISTRATION NUMBER:
(NB: First time applicants: Please include a copy of the registration certificate (obtainable from the Companies and Intellectual Property Commission (CIPC))
10. CUSTOMS NO:..... CODE
(NB: First time applicants: Please include a copy of the Customs Code Certificate (obtainable from SARS))
11. SARS TAX CLEARANCE CERTIFICATE NUMBER AND DATE:
.....
(NB: Please attach the copy of the SARS Certificate-applicable to all applicants)

12. INDICATE PRINCIPAL BUSINESS THAT YOU UNDERTAKE:

AGENT	MANUFACTURER	PROCESSOR	RETAILER	OTHER

IF other please specify.....

13. For classification please complete:-

ENTERPRISE CLASSIFICATION	
LARGE	
QSE	
EME	
HDI	
Investment (Financial and Human)	
Turnover in Rand	R
Capital Investment	R
Number of permanent employees	
Number of part-time employees	

14. APPLICATION – SUBMISSION FOR THE PERIOD

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

15. Summary of BILLS OF ENTRY IMPORT

Quantity imported over the past 3 years.
PLEASE NOTE: A detailed list of bills of entry must be attached to this application.

TARIFF HEADING	TOTAL FOR 2015	TOTAL FOR 2016	TOTAL FOR 2017

17. INDICATE PAYMENT OPTION IN ACCOUNT NO. 013024175 AND ATTACH PROOF OF PAYMENT

BANK	CASH RECEIPT NO

18. PLEASE ATTACH THE FOLLOWING DOCUMENTS TO THIS APPLICATION FORM:

- 18.1 A copy of the applicant's valid South African identity document (if the applicant is a natural person) or a valid certificate of registration or incorporation in South Africa (if the applicant is a juristic person);
- 18.2 A copy of the applicant's valid SARS tax clearance certificate; and
- 18.3 Proof that the applicant is registered with SARS as an importer.

19. IN ADDITION TO THE DOCUMENTS LISTED IN PARAGRAPH 18 ABOVE PLEASE ATTACH THE FOLLOWING:

19.1 Please attach the following documents if the applicant is an existing importer:

- 19.1.1 Documents for the last three (3) years or an otherwise motivated timeframe, which will prove that the entity applying is an established company and not a dormant company or a company that is not in a financially sound position (e.g. Imports by Bill of Entry number, Balance Sheet, Income and Cash Flow statements); and
- 19.1.2 Documentation to prove its BBBEE status in terms of the BBBEE Act and Code.

19.2 Please attach the following documents if the applicant is an HDI and not applying for the first time:

- 19.2.1 A detailed list of bills of entry of quantities imported over the past 2 years (2016 and 2017).

19.3 Please attach the following documents if the applicant is an HDI applying for the first time:

- 19.3.1 A Business plan with clear indication of the sustainability of the business in the long term, including an indication of i.e. access to cold chain logistics (sea and land transport and storage) finance, insurance, and arrangements with freight forwarders;
- 19.3.2 A Curriculum Vitae/profile of the applicant;
- 19.3.3 If a company applies, proof that it is wholly owned by HDIs, including certified copies of share certificates and a BBBEE verification certificate by an accredited rating agency to confirm its BBBEE status;
- 19.3.4 If a company in partnership with an HDI applies, proof that the HDI is the majority shareholder of this company, including certified copies of share certificates and a BBBEE verification certificate by an accredited rating agency to confirm its BBBEE status;
- 19.3.5 A copy of the applicant's valid veterinary import permit as required by section 13(1)(a) of the Meat Safety Act, 40 of 2000; and
- 19.3.6 Letters of intent from the buyers of imported meat.

AFFIDAVIT IN RESPECT OF AN APPLICATION FOR A DAFF QUOTA ALLOCATION IMPORT PERMIT IN TERMS OF REBATE PROVISION 460.03/0207.14.9/01.07 OF SCHEDULE 4 TO THE CUSTOMS AND EXCISE ACT, 1964

NB: The obligation to complete and submit this affidavit cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the applicant

I, the undersigned _____
(Full names) with identity number _____ in my capacity as _____ of _____
(herein after referred to as the applicant) do hereby make oath / affirmation and declare that:

1. I am duly authorized to depose to this affidavit on behalf of the applicant;
2. The particulars contained in the application form are true and correct to the best of my knowledge and belief;
3. I have satisfied myself that the preparation of the application has been done in conformity with the regulations in respect of the above-mentioned rebate provision, with which I have fully acquainted myself and to which I unconditionally agree to;
4. I accept that the decision by the Department of Agriculture, Forestry and Fisheries will be final and conclusive and that the said Department may at any time conduct or order that an investigation to verify information furnished in the application form be conducted; and
5. The applicant or any one of its associates, or related party is not a subject of an investigation by any organ of State or other regulatory authority.

SIGNED at _____ on this _____ day of _____ 20____

DEPONENT

I HEREBY CERTIFY that the deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn before me at _____ on this the _____ day of _____ 2018,

the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.

COMMISSIONER OF OATHS

FULL NAMES:
BUSINESS ADDRESS:
DESIGNATION:
CAPACITY:

PLEASE COMPLETE THE ABOVE AFFIDAVIT WHICH IS AN INSEPARABLE PART OF THE APPLICATION FORM