

**DEPARTMENT OF ECONOMIC DEVELOPMENT
DEPARTEMENT EKONOMIESE ONTWIKKELING**

No. R. 271

11 April 2014

International Trade Administration Commission of South Africa (ITAC)**Automotive Production and Development Programme (APDP) Regulations**

I, Ebrahim Patel, in my capacity as Minister Of Economic Development, acting under the powers vested in me by Section 59 of the International Trade Administration Act, 2002 (Act 71 of 2002), hereby amend Government Notice No.R.96, published in Government Gazette No. 36147 of 15 February 2013, retrospectively to 01 January 2013, by the substitution of paragraphs 14 and 15 of the APDP Regulations with the following –

“14. Issuing of a PRCC

- 14.1 A PRCC will be issued for the qualifying amount, in terms of the PI, applicable to the eligible product and will indicate whether it is based on production of:
- 14.1.1 specified motor vehicles;
 - 14.1.2 specified motor vehicles without an engine and/or gearbox;
 - or
 - 14.1.3 automotive components and tooling
- 14.2 Where a PRCC that has been issued for the production of components, tooling or specified motor vehicles without an engine and/or gearbox, is used to reduce the duty on imports of specified motor vehicles, SARS will reduce the value as shown on the PRCC by 20 per cent.
- 14.3 Where a holder of a PRCC or an applicant for a PRCC or a related party to the applicant is the subject of a fraud investigation, ITAC will have the right to withdraw and/or refuse to issue a PRCC.

15. Usage of a PRCC

- 15.1 A PRCC can be used to reduce the value for customs duty purposes of imports into SACU of the following automotive products:
- 15.1.1 new right-hand drive specified motor vehicles as defined in note 1 to rebate item 317.03 to the Customs Act;
 - 15.1.2 new right-hand drive heavy motor vehicles as defined in Note 1 to rebate item 317.07 of Schedule No.3 to the Customs and Excise Act, 1964;
 - 15.1.3 components as defined in note 8 to Chapter 98 of Part 1 of Schedule No. 1 to the Customs Act for the vehicles identified in 15.1.1 above and components for which the tariff headings are listed in Rebate Item 460.17/00.00/03.00 of Schedule No. 4 to the Customs Act for all of specified motor vehicles
- 15.2 A PRCC can be used only by the original holder thereof. However, the original holder of the PRCC may apply to ITAC, in the manner and form prescribed by ITAC, for the PRCC to be transferred to another qualifying South African entity, upon the sole discretion of ITAC. A PRCC may only be transferred once.
- 15.3 A PRCC is valid for a period of twelve months, which period commences on the first day of the quarter in which the PRCC claim was submitted to ITAC."



Ebrahim Patel
Minister of Economic Development

Date:19...../.....03...../2014