

**NOTICE 1559 OF 2003****BOARD ON TARIFFS AND TRADE****GENERAL NOTICE****CUSTOMS AND EXCISE TARIFF APPLICATIONS****LIST 9/2003**

The following application concerning the Customs and Excise Tariff has been received by the Board on Tariffs and Trade. Any objections to or comments on this representation should be submitted to the Chairperson, Board on Tariffs and Trade, Private Bag X753, Pretoria, 0001, within six weeks of the date of this notice. Attention is drawn to the fact that the rates of duty mentioned in the application is that requested by the applicant and that the Board may, depending on its findings, recommend a lower or higher rate of duty.

**REBATE OF THE FULL DUTY ON:**

Clothing forwarded free, as a donation, to organizations, approved by the Director-General: Trade and Industry on recommendation by the Board on Tariffs and Trade in such quantities and such conditions as the Director-General: Trade and Industry, on the recommendation of the Board on Tariffs and Trade may allow by specific permit, provided that the applicant furnished an undertaking that

1. Such goods are for free distribution to persons in need for personal use and not for sale by the recipients.
2. Such goods will not be sold, leased, hired or otherwise disposed of for gain by the organization; and
3. No donation or other counter performance may be accepted by anybody in exchange for the provision of such goods.

The Board has decided to investigate the justification of recommending the creation of the above proposed provision which is intended to alleviate poverty by allowing donated clothing to be imported with rebate of duty for free distribution to the needy for personal use by the needy under circumstances which will prevent harm to the SACU clothing and textile industries. The investigation is the result of requests received by the Board on Tariffs and Trade.

Interested parties are invited to comment on the proposed provision and the intention of the proposed provision within six weeks of the date of this notice.

Interested parties are also invited to submit detail comments and information in support of their views on the following:

1. The impact of the proposed provision on the clothing and textile industry
2. The impact of the proposed provision on poverty relief.
3. Should the type of organization allowed to receive donated clothing be limited and if so describe the reasons and limitation.
4. Should the number of organizations allowed to receive donated clothing be limited and if so describe the reasons and limitation.
5. Should the quantities of clothing allowed per period be restricted and if so describe the reason, the limitation and how the restricted quantity should be allocated between approved organizations.

6. Should only certain types of clothing be allowed and if so describe the reasons and the type of clothing to be allowed.
7. Should the provision limit the free distribution of clothing to only for example the unemployed and children and if so describe the reasons for the limitation.
8. What measures should be introduced to ensure compliance by approved organizations with the conditions referred to under 1, 2 and 3 of the provisions under investigation.

All comments and proposals submitted to the Board on Tariffs and Trade will be considered by the Board.

**APPLICANT:**

Board on Tariffs and Trade, Private Bag x 753, Pretoria, 0001

[BTT Reference: T5/2/11/9/1(030041) , Enquiries Mrs Barbara Bieldt, Tel no (012) 428-7745 or fax (012) 428-7744, [Bbieldt@dti.pwv.gov.za](mailto:Bbieldt@dti.pwv.gov.za) or Mr C Grobbelaar, Tel no (012) 428-7754 or fax (012) 428-7744, [CoertG@dti.pwv.gov.za](mailto:CoertG@dti.pwv.gov.za)]

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