

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

### DEPARTMENT OF TRADE AND INDUSTRY

NO. 1242

18 DECEMBER 2015

### INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SA

#### GUIDELINES PERTAINING TO A TEMPORARY REBATE PROVISION WHICH PROVIDES 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 AND IMPORTED FROM OR ORIGINATING IN THE UNITED STATES OF AMERICA IN TERMS OF THE CUSTOMS AND EXCISE ACT

Interested parties are hereby notified that all applications submitted for permits in terms of the following rebate provision will be dealt with according to the guidelines as described in this notice and must be submitted in the format as set out in the application forms in this notice, where applicable.

For the convenience of all interested parties, the following guidelines in respect of the rebate provision subject to publication are attached to this notice as indicated in the Schedule hereunder:

**Note: Permits in relation to rebate provisions subject to a permit condition should be applied for and received before the goods concerned are shipped.**

DESCRIPTION OF REBATE PROVISION	ANNEXURE
<p>Rebate item 460.03/0207.14.9/01.07: A temporary rebate of the full anti-dumping duty on - Frozen meat of the species <i>Gallus domesticus</i>, cut in pieces with bone in, classifiable in tariff subheading 0207.14.9 and imported from or originating in the United States of America, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission (ITAC) may allow by specific permit on recommendation of the Director General: Department of Agriculture, Forestry and Fisheries (DAFF), <i>provided that</i> -</p> <p>(a) <i>With effect from 1 April 2016, permits may be issued by ITAC for meat imported in terms of this rebate;</i></p> <p>(b) <i>From the date this rebate item comes into operation up to and including 31 March 2016 meat imported in terms of this rebate items shall be on a first-come-first-served basis;</i></p> <p>(c) <i>The meat subject to the provisions of this rebate item may not exceed a basic annual quota of 65 000 metric tonnes;</i></p> <p>(d) <i>The annual quota period is 1 April to 31 March;</i></p> <p>(e) <i>Prior to 1 April 2016, the quota shall be 16 250 metric tonnes;</i></p> <p>(f) <i>As from 1 April 2017 an annual growth factor as determined by DAFF shall be applied to the basic quota mentioned in (c) above;</i></p> <p>(g) <i>The meat imported in terms of this rebate item may not be removed outside the Republic for consumption in any of the BLNS countries;</i></p> <p>(h) <i>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;</i></p> <p>(i) <i>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</i></p> <p>(j) <i>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.</i></p>	Annexure 1.1

**ANNEXURE 1.1**

**GUIDELINES FOR THE APPLICATION FOR A DAFF QUOTA ALLOCATION IMPORT PERMIT AND THE APPLICATION FOR A REBATE PERMIT IN TERMS OF REBATE ITEM 460.03/0207.14.9/01.07**

## **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 subheading 0207.14.9 and imported from or originating in the United States of America, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission (ITAC) may allow by specific permit on recommendation of the Director General: Department of Agriculture, Forestry and Fisheries (DAFF), provided that -*

- (a) *With effect from 1 April 2016, permits may be issued by ITAC for meat imported in terms of this rebate item;*
- (b) *From the date this rebate item comes into operation up to and including 31 March 2016 meat imported in terms of this rebate item shall be on a first-come-first-serve basis;*
- (c) *The meat subject to the provisions of this rebate item may not exceed a basic annual quota of 65 000 metric tonnes;*
- (d) *The annual quota period is 1 April to 31 March;*
- (e) *Prior to 1 April 2016, the quota shall be 16 250 metric tonnes;*
- (f) *As from 1 April 2017 an annual growth factor as determined by DAFF shall be applied to the basic quota mentioned in (c) above;*
- (g) *The meat imported in terms of this rebate item may not be removed outside the Republic for consumption in any of the BLNS countries;*
- (h) *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;*
- (i) *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*
- (j) *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.*

## **1. Definitions**

- 1.1 **"AGOA"** means the African Growth and Opportunity Act as extended and amended by the Trade Preferences Extension of African Growth and Opportunity Act of 2015.

- 1.2 **"Annual Quota"** means a quota of 65 000 tonnes per Quota Year, subject to an increase in accordance with the provisions of paragraph 2.1.
- 1.3 **"Anti-Dumping Duties"** means the Anti-Dumping Duties in force on Bone-in cuts originating in or imported from the United States of America as listed in Schedule No. 2 Part 1 to the Customs and Excise Act.
- 1.4 **"Bone-in Cuts"** means frozen meat of fowls of the species *Gallus domesticus*, cut in pieces with bone-in, classifiable under tariff subheading 0207.14.9.
- 1.5 **"Customs and Excise Act"** means the Customs and Excise Act, 91 of 1964 (as amended) and indicates a reference to the Customs Duty Act, 30 of 2014 after it comes into force.
- 1.6 **"BBBEE Act"** means the Broad Based Black Economic Empowerment Act, 53 of 2003 (as amended).
- 1.7 **"DAFF"** means the Department of Agriculture, Forestry and Fisheries.
- 1.8 **"DAFF Average"** means the average of the poultry production and consumption figures for South Africa in a calendar year published by DAFF in March of each year.
- 1.9 **"Effective Date"** means the date on which the amendment in Schedule No. 4 to the Customs and Excise Act, is published in the Government Gazette to provide for a rebate of the full Anti-Dumping Duties payable in terms of Schedule No. 2 to the Customs and Excise Act.
- 1.10 **"HDIs"** means Historically Disadvantaged Individuals as defined in the Broad Based Black Economic Empowerment Act, 53 of 2003 (as amended).
- 1.11 **"ITAC"** means the International Trade Administration Commission of South Africa.
- 1.12 **"ITA Act"** means the International Trade Administration Act, 71 of 2002.
- 1.13 **"Quarter"** means each period of 3 calendar months commencing on 1 April, 1 July, 1 October and 1 January in each calendar year.

- 1.14 **"Quarterly Quota Utilisation Report"** means a report reflecting the actual usage of quota received.
- 1.15 **"Quarterly Quota"** means 1 quarter of the annual quota, subject to the provisions of paragraph 2.2.
- 1.16 **"Quota Year"** means a period of four consecutive Quarters commencing on 1 April in each calendar year and ending on 31 March in the subsequent calendar year. The first Quota Year shall be deemed to have commenced on 1 April 2016 and shall end on 31 March 2017.
- 1.17 **"Quota"** means a temporary rebate of the full anti-dumping duty on bone-in cuts, subject to both the annual quota and quarterly quota, provided that if the Effective Date does not fall on a day which is the commencement of a Quarter, the Quota for the period from the Effective Date until the end of the Quarter in which the Effective Date falls would be 16 250mt.
- 1.18 **"Related party"** means as defined in the Companies Act, 2008, Section 2.
- 1.19 **"SARS"** means the South African Revenue Service.

## 2. THE QUOTA

- 2.1 The Quota will increase with effect from 1 April in each calendar year, commencing on 1 April 2017 by the percentage, if any, by which the DAFF Average for the calendar year immediately preceding the calendar year in which that month falls (the "Relevant Year") has increased from the DAFF Average for the calendar year immediately preceding the Relevant Year, provided that:
- 2.1.1 if there is a decrease in the DAFF Average for the Relevant Year from the DAFF Average for the year immediately preceding the Relevant Year (the "Base Year"), the Quota then in force will not be decreased; and
- 2.1.2 for the purposes of determining any future increase in the Quota, the Base Year shall be used as the basis for determining any such increase until there is an increase in the DAFF Average for the Relevant Year when compared with the DAFF Average in the Base Year, where after the provisions of paragraph 2.1, but for this proviso, shall apply. For the avoidance of doubt, if there is no such increase, the Quota then in force shall continue to apply.

- 2.2 The following provisions shall apply to the Quota to avoid volatility in the market:
- 2.2.1 if any portion of the Quarterly Quota is not used in the first Quarter of a Quota Year commencing on 1 April, the unused portion of the Quarterly Quota may be used only in the second Quarter of the Quota Year commencing on 1 July;
  - 2.2.2 any portion of the Quarterly Quota for the first and second Quarters of each Quota Year commencing respectively on 1 April and 1 July, not used by 30 September shall be forfeited;
  - 2.2.3 if any portion of the Quarterly Quota is not used in the third Quarter of a Quota Year commencing on 1 October, the unused portion of the Quarterly Quota may be used only in the fourth Quarter of the Quota Year commencing on 1 January;
  - 2.2.4 any portion of the Quarterly Quota for the third and fourth Quarters of each Quota Year commencing respectively on 1 October and 1 January, not used by 31 March shall be forfeited;
  - 2.2.5 any quotas forfeited at the end of Quarter 2 of the Quota Year may be re-allocated at the end of the third Quarter of the Quota Year for utilisation in Quarter 4 of the Quota Year; and
  - 2.2.6 any portion of the Quota in each Quota Year, not used at the end of a Quota Year shall be forfeited.
- 2.3 The Quota will be terminated or suspended for as long as any benefits that South Africa enjoyed under AGOA as at 1 November 2015 are suspended.
- 2.4 The Quota will be implemented by the creation of a rebate provision (“the Rebate Provision”). The Rebate Provision will come into force on the Effective Date.
- 2.5 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.
- 2.6 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.
- 3. ISSUING OF A DAFF QUOTA ALLOCATION IMPORT PERMIT UNDER THE QUOTA**
- 3.1 Applications for a DAFF quota allocation import permit under the Quota must be submitted to DAFF. DAFF will be responsible for allocation of quota allocation import permits as set out in Section A below.
  - 3.2 Applications for a rebate permit for the use of Rebate Provision 460.03/0207.14.9/01.07 can only be submitted to ITAC after the DAFF quota allocation import permit has been issued. ITAC will be responsible for the issuing of rebate permits as set out in Section B below.

## **SECTION A: DAFF PROCESS**

### **4. GENERAL APPROACH**

- 4.1 There is a need to use the Quota to pursue transformation, hence DAFF will in addition to targeting HDI's as key beneficiaries of the Quota, also use the guidelines contained in the Agricultural Black Economic Empowerment Sector Code published under Section 9(1) of the BBBEE Act (the "Code") to do the allocations.
- 4.2 A minimum of Fifty per cent of the Quota will initially be allocated to HDIs. This percentage can be reviewed.
- 4.3 The rest of the Quota will be allocated to historical importers of Bone-in Cuts as set out in paragraphs 6.1 and 7 below.
- 4.4 A notice relating to the allocation of the Quota will be published in the Government Gazette during the third Quarter of each Quota Year to invite all interested parties to submit their applications for import permits to be allocated by DAFF under the Quota for the next Quota Year. The import permit allocated by DAFF under the Quota will be valid for a period of three months.

### **5. ELIGIBILITY**

- 5.1 In order to be considered for an import permit by DAFF under the Quota, an applicant must:
- Be a South African citizen with a valid identity document or a legal entity with a valid certificate of registration/incorporation in South Africa;
  - Have a valid veterinary import permit as required by Section 13(1)(a) of the Meat Safety Act, 40 of 2000 and comply with the regulations promulgated thereunder;
  - Have a valid SARS tax clearance certificate;
  - Be registered at SARS as an importer;
  - Fully BBBEE compliant existing importers in partnership with an HDI, where the HDI is a majority shareholder;
  - Fully BBBEE compliant existing importers may not be related to one another; and
  - Furnish a completed and signed application and affidavit in the form of Annexure A.

### **6. CRITERIA FOR ALLOCATION**

- 6.1 Established companies must be fully BBBEE compliant and must submit the following:
- 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

- Documentation to proof its BBBEE status in terms of the BBBEE Act and Code.

6.2 For HDIs, the following must be submitted:

- 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;
- A Curriculum Vitae/profile of the applicant;
- 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;
- 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;
- Letters of intent from the buyers of imported meat; and
- Indication of ability and capacity to import a minimum of 27 tonnes of bone-in cuts in a single consignment.

## 7. METHOD OF QUOTA ALLOCATION

7.1 The allocation of the Quota will be done on the basis of the Permit Allocation System/Model, which takes into account the following variables:

- a) The market share of existing importers will be derived from historical data;
- b) The market share for HDIs will be derived from capacity;
- c) Quota allocations in multiples of 27 tonnes;
- d) Quota applied for by applicants;
- e) Number of applicants; and
- f) The Quota available.

7.2 Time period for application: Any person interested in importing poultry meat under the Rebate Provision must submit an application in the form of Annexure A to DAFF together with the supporting documents listed in paragraphs 5.1, 6.1 and 6.2, whichever is applicable. The application form is available electronically, on request, from DAFF from the contact provided under paragraph 7.8 below. Only duly completed application forms will be accepted.

7.3. 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 four weeks from the date of publication referred to paragraph 4.4 above.
- 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.

- 7.4 Applications for extensions of import permits allocated by DAFF under the Quota are subject to the provisions of paragraph 2.2 and will only be considered for permits issued for the First and the Third Quarter. No extension longer than three months will be granted.
- 7.5 Quota allocations may not be transferred in any manner by the holder thereof to any other person.
- 7.6 Applicants must submit a Quarterly Quota Utilisation Report to DAFF, 7 days into the ensuing Quarter in the format as determined by DAFF.
- 7.7 Applicants who wish to submit an application for an extension of Q1 and Q3 unused allocations must do so in the format as determined by DAFF.
- 7.8 The applications must be hand delivered to the following address from 08H00 – 16H00 Monday to Friday:

Sefala building, Room No. 715,  
503 Belvedere Street, Arcadia, Pretoria,  
Contact person: Ms. Elizabeth Matlala  
Contact number: (012) 319 8083  
Email: [ElizabethMA@daff.gov.za](mailto:ElizabethMA@daff.gov.za)

## **8. FEES FOR THE DAFF QUOTA ALLOCATION IMPORT PERMIT TO BE ALLOCATED BY DAFF UNDER THE QUOTA**

- 8.1 The fees payable will be prescribed by DAFF annually by publication in the Government Gazette.
- 8.2 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.

## **SECTION B: ITAC PROCESS**

9. After issuing of a quota allocation import permit to an entity, DAFF will send a recommendation, including a copy of the quota allocation import permit, to ITAC.
10. Applications for a rebate permit, in the form of Annexure B can be submitted to ITAC only after a quota allocation import permit from DAFF has been obtained.
11. Applications for rebate permits must be addressed to the Senior Manager: Tariff Investigations 1, International Trade Administration Commission of South Africa, Private Bag X 753, Pretoria or delivered by hand to the DTI Campus, (Block E), 77 Meintjies Street, Sunnyside, Pretoria, 0002.
12. At least seven (7) working days should be allowed for the issuing of permits where ITAC has received a duly completed application form.
13. Each rebate permit issued defines the quantity of the products and the period during which the products concerned can be cleared under the applicable rebate item. Rebate permits will be issued only for the corresponding period for which the DAFF quota allocation import permit has been issued.
14. Applications for extensions, endorsement or amendment of rebate permits will be considered only if the corresponding DAFF quota allocation import permit has been extended, endorsed or amended. No rebate permit will be extended for a period longer than that for which the corresponding DAFF quota allocation import permit has been extended.
15. Rebate permits may not be transferred in any manner by the holder thereof to any other person.
16. The following conditions apply to this Rebate Provision:
  - 16.1 None of the products entered under a rebate permit issued in terms of these guidelines may be removed, sold or otherwise be disposed of in the Republic of Botswana, Kingdom of Lesotho, Republic of Namibia or the Kingdom of Swaziland;
  - 16.2 Bone-in cuts subject to these Guidelines shall not be shipped from the United States of America unless the importer is in possession of an appropriate, valid DAFF quota allocation import permit and ITAC rebate permit in which such products are specifically described;

- 16.3 Bone-in cuts subject to these Guidelines, that arrive at ports of entry in the Republic of South Africa and for which the importer cannot produce a valid DAFF quota allocation import permit and ITAC rebate permit, shall constitute a contravention of these Guidelines, the ITA Act and the Customs and Excise Act;
- 16.4 Contraventions of the provisions of the ITA Act and/or the Customs and Excise Act will result in the withdrawal or cancellation of the rebate permit and/or the seizure of products being imported under said permit and/or may result in criminal prosecution in terms of the ITA Act and/or the Customs and Excise Act;
- 16.5 Quotas will not be re-instated or re-allocated in certain instances. Example: where products were intended for home consumption and cleared as such and the available Quota was written off but later changed to an export transaction (for example, warehoused for export, duty paid ex warehouse, etc.) such written off Quota will not be re-instated or re-allocated;
- 16.6 An importer's rebate permit will be withdrawn if products imported in terms of this Rebate Provision were removed to the Republic of Botswana, Kingdom of Lesotho, Republic of Namibia or the Kingdom of Swaziland and the importer will not be considered for any further rebate permits under this Rebate Provision;
- 16.7 If all the information requested in the application form is not submitted, the application will be deemed as deficient and the application will not be considered. If ITAC determines that an application is deficient, the applicant will be informed of the deficiency and of the time period within which to submit a corrected application to ITAC. Failure to correct any deficiency within the specified period will result in the application not being considered;
- 16.8 Only products described in the rebate permit may be imported;
- 16.9 The rebate permit is issued without amendments of any kind and any unauthorised amendment will render the permit invalid;
- 16.10 Nothing in these Guidelines shall absolve an importer from the obligation of also complying with the provisions of any other legislation relating to the importation of products into the Republic of South Africa; and
- 16.11 ITAC may require additional documentation in order to make informed decisions and to ensure sound administration of the Rebate Provision. ITAC officials may at any time inspect premises, documentation or imported products for compliance.



**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**  
 (Please note that an application form is necessary for each product)

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 CODE NO:**.....  
 (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:**

<b>AGENT</b>	<b>MANUFACTURER</b>	<b>PROCESSOR</b>	<b>RETAILER</b>	<b>OTHER</b>
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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 / Litres

**15. Summary of BILLS OF ENTRY IMPORT**

Quantity imported over the past 1, 2 or 3 years.

TARIFF HEADING	TOTAL FOR 2014	TOTAL FOR 2013	TOTAL FOR 2012

<b>16. INDICATE PAYMENT OPTION IN ACCOUNT NO. 013024175 AND ATTACH PROOF OF PAYMENT</b>	<b>BANK</b>	<b>CASH RECEIPT NO</b>
		.....

**17. PLEASE ATTACH THE FOLLOWING DOCUMENTS TO THIS APPLICATION FORM:**

- 17.1 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);
- 17.2 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;
- 17.3 A copy of the applicant's valid SARS tax clearance certificate; and
- 17.4 Proof that the applicant is registered with SARS as an importer.

**18. IN ADDITION TO THE DOCUMENTS LISTED IN PARAGRAPH 17 ABOVE PLEASE ATTACH THE FOLLOWING:****18.1 Please attach the following documents if the applicant is an established company:**

- 18.1.1 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
- 18.1.2 Documentation to proof its BBBEE status in terms of the BBBEE Act and Code.

**18.2 Please attach the following documents if the applicant is an HDI:**

- 18.2.1 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;
- 18.2.2 A Curriculum Vitae/profile of the applicant;
- 18.2.3 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;
- 18.2.4 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;
- 18.2.5 Letters of intent from the buyers of imported meat; and
- 18.2.6 Indication of ability and capacity to import a minimum of 27 tonnes of bone-in cuts in a single consignment.

**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 authorised 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 \_\_\_\_\_ 2015,

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**



**ANNEXURE B**

**INFORMATION REQUIRED IN SUPPORT OF AN APPLICATION FOR A REBATE PERMIT IN TERMS OF 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**

**1. Details of applicant:**

1.1 Name of company:.....

1.2 Postal address:.....  
 .....  
 .....

1.3 Telephone no.:.....

1.4 E-mail address:.....

1.5 Name of contact person:.....

1.6 Physical address:.....

**2. Details of products in respect of which a Rebate Permit is required:**

2.1 Full description of products to be imported:  
 .....  
 .....

2.2 Quantity in kg:.....

2.3 F.o.b. Value in R: .....

2.4 Country of origin: .....

2.5 Planned date of import or period during which it is planned to import: .....

2.6 Port of entry:.....

**3. Complete the following affidavit:****AFFIDAVIT IN RESPECT OF AN APPLICATION FOR A REBATE 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..... (hereinafter referred to as the applicant) do hereby make oath/affirmation and declare that –

- 1) I am duly authorised to dispose 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 International Trade Administration Commission will be final and conclusive and that the said Commission 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 \_\_\_\_\_ 2015, 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**