

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. R. 2806

1 December 2022

INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA

IMPORT CONTROL GUIDELINES ON THE IMPORTATION OF CERTAIN METAL PROCESSING MACHINERY AND MECHANICAL APPLIANCES, INCLUDING FURNACES, GRANULATORS, GUILLOTINES AND SHREDDERS

1. Definitions

- 1.1 "**Amendment Notice**" means the amendments to the Import Control Regulations by the Minister of Trade, Industry and Competition in terms of Section 6(1)(b) of the International Trade Administration Act, 2002 (Act No. 71 of 2002) published in Notice No. R. 2804 in Government Gazette No. 47627 of 30 November 2022.
- 1.2 "**Applicant**" means any person applying for a permit to import the Subject Products.
- 1.3 "**Application Form**" means a Form IE461 (application for an import permit) duly completed by an Applicant.
- 1.4 "**Guidelines**" means these Import Control Guidelines on the importation of certain metal processing machinery and mechanical appliances, including furnaces, granulators, guillotines and shredders.
- 1.5 "**Import Control Regulations**" means the regulations contained in Government Notice No. R. 91 published in Government Gazette No. 35007, dated 10 February 2012, as amended.
- 1.6 "**ITAC**" means the International Trade Administration Commission of South Africa established under section 7 of the International Trade Administration Act, 2002 (Act No. 71 of 2002).
- 1.7 "**person**" means a natural or juristic person.
- 1.8 "**Subject Products**" means those goods listed in Schedule 1 to the Amendment Notice, including furnaces, granulators, guillotines and shredders.

2. Import Control Regulations

In terms of the Amendment Notice, the Subject Products shall not be imported into the Republic of South Africa except under the authority of and in accordance with the conditions stated in a permit issued by ITAC.

3. Application Form

3.1 A Form IE230 for registration of first time applicants and Form IE461, application for an import permit, must be duly completed by an Applicant.

3.2 An Application Form must be accompanied by the following documents:

3.2.1 Any required environmental operating permit;

3.2.2 A valid Tax Clearance Certificate for all applications; and

3.2.3 A sworn affidavit deposed to by the managing director or similar official that the information provided in the application form and any accompanying document is correct to the best of his or her knowledge.

3.3 An Applicant must also provide, along with an Application Form and the documents specified in paragraph 3.2, the following information:

3.3.1 The reason for the importation of the Subject Products;

3.3.2 The use to which the Subject Products will be put, including identification of the end product to be manufactured and sold to a third party;

3.3.3 Where the input material to be processed by the Subject Products (e.g. scrap or waste metal) is being sourced; and

3.3.4 The person/s to which the end product will be sold.

3.4 In order to assist ITAC with the sound administration and proper adjudication of import permits, ITAC may from time to time and when circumstances warrant, require additional documentation in order to, *inter alia*, make an informed decision on an application for an import permit.

4. Permit Administration

4.1 An Application Form and accompanying documents for an import permit, as provided for in paragraph 3, must be submitted by e-mail to the relevant administrative officials as indicated on the ITAC website, responsible for the administration of import applications for the importation of the Subject Product, from time to time;

or by hand delivery to:

77 Meintjies Street, Block D, 2nd Floor, Sunnyside, Pretoria.

4.2 Application Forms referred to in subparagraph 1 that are submitted to ITAC will normally be processed within 7 to 10 working days after receipt of a duly completed application.

5. Miscellaneous

5.1. An Applicant may be subject to a verification inspection by ITAC before an application for an import permit is evaluated. An inspection may delay the issuing of an import permit.

5.2. If an Applicant provides incorrect or false information in an application, ITAC may reject the application.

5.3. If incorrect or false information is provided to ITAC, ITAC may also take any action available to it under prevailing legislation, including, but not limited to, criminal prosecution.

5.4. Import permits are valid for one year from the date of issue.

5.5. ITAC import permits are not transferrable and may not be used to the benefit of any person not named in the permit.

6. Effective Date

These Guidelines will come into effect on the date of publication in the Government Gazette.