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IMPORTANT NOTICE

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IMPORTANT ANNOUNCEMENT

Closing times PRIOR TO PUBLIC HOLIDAYS for GOVERNMENT NOTICES, GENERAL NOTICES, REGULATION NOTICES AND PROCLAMATIONS 2009

*The closing time is **15:00** sharp on the following days:*

- **21 December,** Monday, for the issue of Thursday **31 December 2009**
- **30 December,** Wednesday, for the issue of Friday **8 January 2010**

Late notices will be published in the subsequent issue, if under special circumstances, a late notice is accepted, a double tariff will be charged

The copy for a SEPARATE *Government Gazette* must be handed in not later than three calendar weeks before date of publication

BELANGRIKE AANKONDIGING

Sluitingstye VOOR VAKANSIEDAE vir GOEWERMENTS-, ALGEMENE- & REGULASIE-KENNISGEWINGS ASOOK PROKLAMASIES 2009

*Die sluitingstyd is stiptelik **15:00** op die volgende dae:*

- **21 Desember,** Maandag, vir die uitgawe van Donderdag **31 Desember 2009**
- **30 Desember,** Woensdag, vir die uitgawe van Vrydag **8 Januarie 2010**

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word, sal 'n dubbeltarief gehef word

Wanneer 'n APARTE *Staatskoerant* verlang word moet die kopie drie kalenderweke voor publikasie ingedien word

GOVERNMENT NOTICES
GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HEALTH
DEPARTEMENT VAN GESONDHEID

No. R. 1228 **31 December 2009**

MEDICAL SCHEMS ACT, 1998 (ACT NO.131 OF 1998)

FEES PAYABLE TO BROKERS: CORRECTION NOTICE

The following correction to government notice, number 1134 contained in *Gazzette* number 32771, published on the 3rd of December 2009, issued by the Minister of Health, is hereby published for general information:

(a) substitute 1 January 2010 for 1 January 2009.

No. R. 1229 **31 December 2009**

NATIONAL HEALTH ACT, 2003 (ACT NO. 61 OF 2003)

REGULATIONS RELATING TO CANCER REGISTRATION

The Minister of Health intends, in terms of section 90(1)(q) of the National Health Act, 2003, (Act No 61 of 2003) to make regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations in writing on the proposed regulations to the Minister: Health, Private Bag X 828, Pretoria, 0001 (for the attention of the Director: Chronic Diseases, Disability and Geriatrics), within two months of the date of publication of this notice.

SCHEDULE

Definitions

1. In these regulations any word or expression to which a meaning has been assigned in the Act shall have such meaning and, unless the context indicates otherwise–

"cancer" means all neoplasms and conditions suspected as such, as contained in the international classification of diseases for oncology, latest edition;

"cancer registration" means the process of the continuous, systematic collection of a defined data set on the biographical information of all persons diagnosed with cancer, and of the characteristics of the cancer, including its treatment and outcome;

"committee" means the National Cancer Registration Advisory Committee established in terms of regulation 2;

"Director-General" means the head of the national department;

"facility based cancer registry" means a cancer registry that limits its aims to recording the particulars of cancer cases seen in a given health facility or group of health facilities, irrespective of the geographical area of residence of the patients;

"international agency for research on cancer (IARC)" means the World

Health Organization (WHO) agency that has its mission to co-ordinate and conduct research on cancer;

"national cancer registry" means a national system used for the recording, collection, storage, analysis and interpretation of data of all persons with cancer on a national basis regardless of age;

"national childhood cancer registry" as a sub-division of the National Cancer Registry means a national system used for the recording, collection, storage, analysis and interpretation of data relating to all cancers in children under the age of 12years;

"national department" means the national Department of Health

"**national health laboratory service**" means the Service established in terms of section 3 of the National Health Laboratory Service Act, 2000 (Act No. 37 of 2000);

"population-based cancer registry" means the registration of the details of every cancer that occurs in a defined population, usually in those persons resident within the boundaries of a defined geographical region or country; and

"the Act" means the National Health Act, 2003, (Act No 61 of 2003)

CHAPTER 1

NATIONAL CANCER REGISTRATION ADVISORY COMMITTEE

Establishment of the National Cancer Registration Advisory Committee and committees

2. It is hereby established the National Cancer Registration Advisory Committee.

Object of the Committee

3. The object of the Committee is to advise the Director-General on any matter related to cancer registration in the Republic.

Functions of the Committee

4. The Committee must advise the Director-General on any matter relating to cancer registration including: the collection, registration, processing, management and distribution of information relating to cancer.

Composition of the Committee

5. (1) The Committee shall consist of –

(a) not more than 4 medical specialists each with at least 10 years experience in oncology, designated by the professional boards of the Health Professional Council of South Africa.

(b) one pathologist designated by each of the National Pathology Group and the National Health Laboratory Services;

(c) one medical or clinical epidemiologist;

(d) one official in the employ of national department dealing with health information technology and policy;

(e) one official in the employment of the national department dealing with Cancer related policy;

(f) one representative of the National Health Laboratory Service nominated by the CEO of the National Health Laboratory Service; and

(g) one person from a non-governmental organization working in the field of cancer.

Appointment of members of the Committee

6. (1)The Director-General appoints members of the Committee.

(2) Whenever it is necessary to appoint a member or members of the Committee, save for the appointment of a person referred to in regulation 5(1)(d) and (e), the Director-General must invite nominations by means of a notice in the Gazette and a notice published in at least two nationally distributed newspapers, specifying a period within which nominations must be submitted.

(3) The Director-General may appoint an alternate member for any member of the Committee; and a replacement for any member who vacates office before the end of the period of such member.

(4) The replacement serves for the remainder of the term of the person he or she replaces.

Conditions of Appointment to the Committee

7. (1) A member of the Committee holds office for a period of three (3) years.

(2) At the expiry of the term of office, a member may be reappointed for another term.

(3) A member of the Committee or an alternate must vacate office if-

(a) the Director-General at any time terminates his or her membership;
(b) the member can no longer perform the duties of the Committee;
(c) the member is convicted of an offence and sentenced to prison without an option of a fine;
(d) the member is absent from more than two consecutive meetings of the Committee without leave of the Chairperson; or

(e) the member resigns by written notice to the Director-General.

Ad hoc and Sub-Committees

8. (1) The Committee may with the approval of the Director-General establish ad hoc committees and subcommittees, consisting of so many persons, appointed by the Committee, for such period as the Committee may consider necessary.

(2) The Committee must determine and finalize the terms of reference of an ad-hoc or sub-committee contemplated under sub-regulation 1 within one (1) month of such establishment.

Chairperson and vice-chairperson

9. (1) The Committee must at its first meeting and thereafter as often as it may become necessary, elect from among its members a chairperson and a vice-chairperson.

(2) When the chairperson is absent or is unable to perform his or her functions as chairperson or whenever the office of chairperson is vacant, the vice-chairperson shall act as chairperson during such absence or incapacity or until a chairperson is appointed.

(3) If both the chairperson and the vice-chairperson are absent or unable to perform the functions of the chairperson or whenever both the office of chairperson and the office of vice-chairperson are vacant, the Committee shall elect any other member to act as chairperson during such absence or incapacity or until a chairperson is appointed or a vice-chairperson is elected.

(4) The chairperson must-

(a) cause meetings to be convened; and

(b) ensure the orderly conduct of meetings and that all resolutions are recorded.

Administrative functions

10. (1) The Department must provide administrative or secretarial service to the Committee.

Meetings of the Committee

11. (1) The first meeting of the Committee shall be held within 30 days of its appointment at a time and place to be determined by the Department.

(2) Any subsequent meetings must be held as often as may be necessary for the proper performance of the functions of the Committee, but at least once in every six months, at a time and place determined by the Chairperson.

(3) The Chairperson may at any time convene a special meeting of the Committee, to be held on such a date and at such place as he or she may determine and he or she must, upon a written request by the Director-General or a written request signed by at least two members, convene a special meeting to be held, within thirty days after the date of receipt of the request, on such a date and at such a place as he or she may determine.

(4) The request must clearly state the purpose of the meeting.

(5) Any member who is unable to attend a meeting of the Committee must before the meeting give notice to the chairperson.

(6) The Committee may consult with or receive representations from anv person, organization, institution or authority on any matter in order to act objects or to perform the functions of the Committee in terms of this regulation

Quorum and procedure at meetings

12. (1) The majority of the members of the serving members of the Committee shall constitute a quorum at any meeting of the Committee.

(2) A decision of the majority of the members of the Committee present at any meeting shall constitute a decision of the Committee: Provided that in the event of an equality of votes the Chairperson or member presiding shall have a casting vote in addition to a deliberative vote.

(3) No decision taken by the Committee or act performed under the authority of the Committee shall be invalid by reason only of an interim vacancy on the Committee.

CHAPTER 2

CANCER REGISTRATION STRUCTURES AND RESPONSIBILITIES OF HEALTH ESTABLISHMENTS

Establishment of the National Cancer Registry

13. (1) There is hereby established a National Cancer Registry for the collection, recording, management and analysis of all data and information in the Republic relating to Cancer as set out in Annexure A.

(2) The National Cancer Registry may be implemented incrementally.

Establishment of the National Childhood Cancer Registry

14. (1) There is hereby established a National Childhood Cancer Registry as a sub-division of the NCR to which will be recorded cancer pathology reports in the Republic relating to children under the age of twelve (12) years as per Annexure A.

(2) The data or information captured by the National Childhood Cancer Registry must include the information required by the National Cancer Registry.

Establishment of Population Based Cancer Registries,

15. There is hereby established Population Based Registries involving active case finding of address-based cases.

the National Cancer Registry

jective of the National Cancer Registry is to –

'e, analyse, verify, evaluate and provide data relating to cancer ement; and

(D) provide information to organs of state and the public –

(i) for education, awareness raising, research and development purposes;
(ii) for planning, including the prioritization of regulatory and other initiatives.

Control of the National Cancer Registry

17. The National Cancer Registry is controlled by the Chief Executive Officer of the National Health Laboratory Services.

Reporting by health establishments

18. (1) The person responsible for a health establishment must-

(a) ensure that a database containing such information as required in terms of this regulations is established, funded and maintained at that health establishment;
(b) ensure that all the data or information of all inpatient or outpatients diagnosed, treated or referred for treatment for cancer to the health establishment is recorded on the database;

(2) The person in charge of a health establishment where a cancer diagnosis is made must designate a person for the specific purpose of managing the database contemplated under sub-regulation (1)(a).

(3) A health care provider must within an agreed period after diagnosis, submit all required data or information as per Annexure A to the person responsible for the database contemplated under sub-regulation (1)(a).

(4) The person in charge of such a health establishment must quarterly submit to the National Cancer Registry reports which contain the data and information required in terms of this regulations and as per Annexure A

Reporting by laboratories

19. A head of a laboratory must quarterly submit to the National Cancer Registry and the National Childhood Cancer Registry laboratory reports which contain data or information as set out in Annexure A.

Standards and norms

20. The National Cancer Registry must conform to international norms and standards as determined by the International Agency for Research on Cancer

Confidentiality

21. (1) All data or information contemplated in these regulations is confidential.

(2) The National Cancer Registry must maintain the same standards of confidentiality as customarily apply to doctor-patient relationship, and this obligation extends indefinitely, even after the death of the patient.

(3) No person may disclose any information contemplated in sub-regulation (1) unless a court order or any law requires such disclosure;

Protection of data or information

22. (1) The person in charge of such a health establishment must set up control measures to prevent unauthorized access to the database and to the storage facility in which, or system by which, the data or information is kept

(2) As part of compliance with sub-regulation (1) the person in charge of a health establishment must ensure-

(a) the data or information contemplated in these regulations is stored in a facility or system which is, designed and located so as to facilitate the safe and secure receipt, storage and dissemination of such data or information;

(b) no person discloses or disseminates the data or information without authorization

(3) Any person working with or coming into contact with the data or information contemplated under these regulations must adhere to all confidentiality and security requirements.

Duty to release the data or information

23. (1) The National Cancer Registry must-

(a) ensure that accurate, appropriate, adequate and comprehensible data and information is disseminated to any person that requests the data or information in writing.

(b) that a written procedure is prepared, published and implemented relating to the dissemination and publication of the data or information contemplated in these regulations;

(2) Registries should make available a document describing their procedures and criteria for the release of data, especially identifiable data.

(3) A report signed by the Director – General will be prepared by the NHLS and the National Department of Health for the purpose of reporting to Intentional Agencies as required.

(4) The person in charge of the National Cancer Registry-

(a) must prepare and submit every six months a report to the Director-General and the Heads of Provincial Department of Health in each province; or

(b) must submit any information requested by the Director-General within a reasonable time of such request being made.

Offences and penalties

24. Any person who –

(a) is liable to register a condition contemplated in these regulation but fails to do so, or fail to comply with any of the provisions of these regulations;
(b) fails to perform a duty imposed on him or her;
(c) falsifies any record by adding to, or deleting, or changing any information contained in the record;
(d) creates, changes or destroys a record without authority to do so;
(e) provides false information with the intent that it be included in a record;
(f) without authority, copies any part of the record;
(g) without authority, connect the personal identification elements of a patient's records with any element of that record concerns that patient's history and/or examination.
(h) gains unauthorized access to a record or record-keeping system, including intercepting information in transit from one person, or part of a record-keeping system, to another;
(i) without authority connects any part of a computer or electronic system on which records are kept to-

  (i) any other computer or electronic system, or
  (ii) any terminal or other installation connected to or forming part of any other computer or electronic system or;

(j) without authority, modifies or impairs the operation of-

  (i) any part of the operating system of a computer or other electronic system on which a patient's records are kept; or any part of the programme used to record, store, retrieve or display information on a computer or other electronic system on which a patient's records are kept;

commits an offence and if found guilty, may be liable to a fine.

Transmission of information from source to data system and registries or visa versa

25. The Director-General may, for purposes of adapting or maintaining databases may by notice in the Government Gazette determine the manner and format in which data must be submitted to the National Cancer Registry

Transitional Arrangements & savings

26. The National Cancer Registry and the National Childhood Cancer Registry which existed, immediately prior to promulgation of this regulations, is deemed to be established in terms of these regulations.

DR A MOTSOALEDI
MINISTER OF HEALTH

REPUBLIC OF SOUTH AFRICA
DEPARTMENT OF HEALTH

DRAFT CANCER REGISTRATION FORM

[Regulation 2009]

To be completed in duplicate in **BLOCK LETTERS**. Please mark with ☑ the CORRECT box, where required.
Original to be submitted to the National Cancer Register and copy to be retained.

A. PARTICULARS OF INDIVIDUAL

1. Name of facility

USE PATIENT STICKER *if available*

2. Surname

3. Full names

4. Date of birth D D M M Y Y Y Y

5. Folder number

6. Sex ☐ Male ☐ Female

7. ID number/Passport number

8. Race group ☐ African ☐ Coloured ☐ White ☐ Indian ☐ Other _____

9. Area of residence
   9.1 City/town/village
   9.2 Postal code
   9.3 How long at this address? ☐☐ years

   Please record place of birth if not the same as current address

   9.4 City/town/village
   9.5 Postal code

B. RISK FACTOR PROFILE

10. Usual occupation of patient
    (If retired, give type of work done for most of working life)

11. Type of industry/business
    (eg Mining, farming etc)

12. Did the patient ever smoke tobacco? ☐ Yes ☐ No ☐ Unknown

13. Did the patient ever consume alcohol regularly? ☐ Yes ☐ No ☐ Unknown
    (that is, more than once a week)

14. HIV status ☐ Negative ☐ Positive ☐ Unknown

C. CLINICAL AND LABORATORY DETAILS

15. Date of diagnosis D D M M Y Y Y Y

16. Cancer diagnosis and Histology
    Please give all information available on the site, laterality, histology and behaviour of the tumour

17. ICD-10 ☐☐☐.☐

18. Grade ☐ Well differentiated ☐ Moderately differentiated ☐ Poorly differentiated ☐ Unknown/Not applicable

19. Stage ☐ Primary/localised ☐ Metastatic ☐ Unknown/Not applicable

20. Invasiveness ☐ In-situ ☐ Invasive

21. Basis of diagnosis ☐ Clinical ☐ Clincial with investigation ☐ Cytology/histopathology

22. Prescribed treatment ☐ Surgery ☐ Radiation ☐ Chemothrapy ☐ Other systemic ☐ Palliation ☐ Alternative ☐ None

INFORMANT PARTICULARS

Name (Print) _____

MP/NC Number ☐☐☐☐☐☐☐☐☐☐

Signature _____ Date _____

OFFICE CODING

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No. R. 1230 **31 December 2009**

MEDICINES AND RELATED SUBSTANCES ACT, 1965 (ACT 101 OF 1965)

SCHEDULES

The Minister of Health has, in terms of section 22A (2) of the Medicines and Related Substances Act, 1965 (Act 101 of 1965), on the recommendation of the Medicines Control Council, made and updated the Schedules in the Schedule.

This Schedule amends the Schedules as published in Government Notice 935 (medicines and Related Substances Act, 1965 (Act 101 of 1965): Schedules), Government Gazette 31397, 5 September 2008 using the following convention:

- Words in square brackets (e.g. [Gamma benzene hexachloride] in Schedule 1), indicate omission from a Schedule
- Words underlined with a solid line (e.g. Gamma benzene hexachloride in Schedule 2), indicate insertions in a Schedule.

SCHEDULE

In these Schedules, "the Act" means the Medicines and Related Substances Act, 1965 (Act 101 of 1965)

Note: Where an alternative schedule(s) is included in natural parentheses at any point of an inscription, this is provided to indicate one or more alternative scheduling designation/s. This is for information only and shall not be used in the interpretation of such inscription.

SCHEDULE 0

a. All substances referred to in this Schedule are excluded when specifically packed, labelled, sold and used for –

   (i) industrial purposes including the manufacture or compounding of consumer items or products which have no pharmacological action or medicinal purpose, and which are intended to be ingested by man or animals as a food or applied to the body as a cosmetic, and which are approved for such use in terms of the Foodstuffs, Cosmetics and

Disinfectants Act, 1972 (Act 54 of 1972) or that are registered in terms of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947); and

(ii) analytical laboratory purposes.

b. This Schedule shall include all substances or mixtures of such substances containing or purporting to contain substances referred to, including the salts and esters of such substances, where the existence of such salts and esters is possible, except where such substances or mixtures of substances are expressly excluded.

This Schedule includes all substances or mixtures of substances subject to registration in terms of the Act and which are not listed in any of the other Schedules.

SCHEDULE 1

a. All substances referred to in this Schedule are excluded when specifically packed, labelled, sold and used for –

(i) industrial purposes including the manufacture or compounding of consumer items or products which have no pharmacological action or medicinal purpose; and

(ii) analytical laboratory purposes.

b. This Schedule shall include all preparations of substances or mixtures of such substances containing or purporting to contain any substance referred to in this Schedule and includes the following:

(i) The salts and esters of such substances, where the existence of such salts and esters is possible; and

(ii) all preparations and mixtures of such substances where such preparations and mixtures are not expressly excluded.

c. In terms of section 22A(4)(a)(v) of the Act, a practitioner, nurse or a person registered under the Health Professions Act, 1974 (Act 56 of 1974) other than a medical practitioner or dentist may prescribe and supply, only within his/her scope of practice and subject to the indication for use of such substances and medicines and to the conditions determined by the Medicines Control Council, to patients under his/her care, the Schedule 1 substances and medicines provided for in the Annexures to this Schedule published in the *Gazette* in terms of the Act.

Bee venom, preparations intended for application to the skin. (S4)

[Gamma benzene hexachloride] *delete inscription. See inscription in S2.*

Hyaluronic acid and its salts, when intended for topical application to the skin. (S0, S2, S4)

Normal Saline (Sodium chloride 0,9 % m/v) when intended for injection, in a dosage form not exceeding 20 millilitres in volume. (S0, S3)

Zinc salts, when intended for veterinary use as an injection, except

a. when intended for oral ingestion, where the daily dose is less than 50 milligrams of elemental zinc, or when intended for topical use by humans; (S0), or

b. when registered in terms of the provisions of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947).

SCHEDULE 2

a. All substances referred to in this Schedule are excluded when specifically packed, labelled, sold and used for –

   (i) industrial purposes including the manufacture or compounding of consumer items or products which have no pharmacological action or medicinal purpose; and

   (ii) analytical laboratory purposes.

b. This Schedule shall include all preparations of substances or mixtures of such substances containing or purporting to contain any substance referred to in this Schedule and includes the following:

   (i) The salts and esters of such substances, where the existence of such salts and esters is possible; and

   (ii) all preparations and mixtures of such substances where such preparations and mixtures are not expressly excluded.

c. In terms of section 22A(5)(f) of the Act, a practitioner, nurse or a person registered under the Health Professions Act, 1974 (Act 56 of 1974) other than a medical practitioner or dentist may prescribe and supply, only within their scope of practice and subject to the indication for use of such substances and medicines and to the conditions determined by the Medicines Control Council, to patients under his/her care, the Schedule 2 substances and medicines provided for in the Annexures to this Schedule published in the *Gazette* in terms of the Act.

BCG vaccine – see *Mycobacterium bovis*.

Bismuth, when intended for oral use.

Diphtheria toxoid vaccine.

Gamma benzene hexachloride when intended to be used for the second line treatment of lice in a pack size not exceeding 60ml. (S4)

Haemophilus influenzae vaccine (Hib).

Hepatitis B vaccine

Rotavirus, live attenuated.

Metronidazole, when intended for human vaginal use, specifically for the treatment of recurrent bacterial vaginosis and except when intended and registered for use in pigeons in terms of the provisions of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947). (S4)

Mycobacterium bovis vaccine (BCG).

Pantoprazole, when intended for the temporary short-term relief of heartburn and hyperacidity, subject to:

a. maximum daily dose of 20 milligrams

b. maximum treatment period of 14 days. (S4)

Pertussis toxoid vaccine.

Pholcodine, [oral solid] preparations and mixtures when compounded [in combination] with one or more therapeutically active substances, and containing 20 milligrams or less of pholcodine (calculated as base) per dosage unit and liquid oral preparations and mixtures [in combination with one or more therapeutically active substances] and containing 20 milligrams or less of pholcodine (calculated as base) per 5 millilitres dosage unit. (S6)

Pneumococcal vaccine, conjugated.

SCHEDULE 3

a. All substances referred to in this Schedule are excluded when specifically packed, labelled, sold and used for –

   (i) industrial purposes including the manufacture or compounding of consumer items or products which have no pharmacological action or medicinal purpose; and

   (ii) analytical laboratory purposes.

b. This Schedule shall include all preparations of substances or mixtures of such substances containing or purporting to contain any substance referred to in this Schedule and includes the following:

   (i) The salts and esters of such substances, where the existence of such salts and esters is possible; and

   (ii) all preparations and mixtures of such substances where such preparations and mixtures are not expressly excluded.

c. In terms of section 22A(5)(f) of the Act, a practitioner, nurse or a person registered under the Health Professions Act, 1974 (Act 56 of 1974) other than a medical practitioner or dentist may prescribe and supply, only within his/her scope of practice and subject to the indication for use of such substances and medicines and to the conditions determined by the Medicines Control Council, to patients under his/her care, the Schedule 3 substances and medicines provided for in the Annexures to this Schedule published in the *Gazette* in terms of the Act.

Beclomethasone – see corticosteroids.
Budesonide, when intended for inhalation and for nasal administration. (S4)
Butecosone, when intended for inhalation and for nasal administration.
Dienogest.

Estradiol.

Flunisolide – see corticosteroids.

Fluticasone – see corticosteroids.

Ibuprofen, except for application to the skin (S1), and except when used in oral medicinal preparations –

a. for the treatment of post-traumatic conditions for a maximum treatment period of 5 days, where the recommended daily dose for adults does not exceed 1,2 g and the dose for children up to and including the age of 12 years does not exceed 20 milligrams per kilogram of body weight; (S2)

b. for the emergency treatment of acute gout attacks; (S2)

c. for the treatment of a haemodynamically significant patent ductus arterious in infants less than 34 weeks of gestational age. (S4)

Ivabradine

Macrogol (polyethylene glycol), when used for faecal impaction, or for the purposes of bowel cleansing prior to surgery or diagnostic procedures. (S0)

Normal Saline (Sodium chloride 0,9 % m/v) when intended for injection, except when intended for injection in a dosage form not exceeding 20 millilitres in volume. (S0, S1)

Strontium, except when contained in toothpaste. (S0)

SCHEDULE 4

a. All substances referred to in this Schedule are excluded when specifically packed, labelled, sold and used for –

   (i) industrial purposes including the manufacture or compounding of consumer items or products which have no pharmacological action or medicinal purpose; and

   (ii) analytical laboratory purposes.

b. This Schedule shall include all preparations of substances or mixtures of such substances containing or purporting to contain any substance referred to in this Schedule and includes the following:

   (i) The salts and esters of such substances, where the existence of such salts and esters is possible; and

   (ii) all preparations and mixtures of such substances where such preparations and mixtures are not expressly excluded.

c. In terms of section 22A(5)(f) of the Act, a practitioner, nurse or a person registered under the Health Professions Act, 1974 (Act 56 of 1974) other than a medical practitioner or dentist may prescribe and supply, only within his/her scope of practice and subject to the indication for use of such substances and medicines and to the conditions determined by the Medicines Control Council, to patients under his/her care, the Schedule 4 substances and medicines provided for in the Annexures to this Schedule published in the *Gazette* in terms of the Act.

Anidulafungin.

Bee venom, exept preparations intended for application to the skin. (S1)

Biological medicines, injectable preparations thereof, when intended for human use and unless listed elsewhere in the Schedules,

a. except vaccines, when listed elsewhere in the Schedules and vaccines registered in terms of the provisions of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947).

b. but specifically including the following -

   (i) Equine anti-human thymocyte globulin;

   (ii) Equine gamma globulin;

   (iii) Human anti-D immunoglobulin;

   (iv) Human anti-thymocyte rabbit immunoglobulin;

   (v) Hepatitis A vaccine;

   (vi) Hepatitis B immunoglobulin;

(vii) Human normal immunoglobulin, possibly polyvalent or possibly including IgG, IgA, or IgM;

(viii) Human plasma albumin;

(ix) *Neiserria meningitides* polysaccharide vaccine;

(x) Pneumococcal vaccine, polysaccharide;

(xi) Rabies immunoglobulin;

(xii) Rabies vaccine;

(xiii) Recombinant cholera toxin B subunit;

(xiv) rhDNase-domase alfa;

(xv) Tetanus immunoglobulin;

(xvi) Varicella immunoglobulin;

(xvii) Varicella-zoster virus vaccine;

(xviii) Yellow Fever virus, attenuated.

Budesonide, except when intended for inhalation and for nasal administration. (S3)
Cefovecin.
Ceftobiprole.
Chlormadinone.

Enramycin, except when intended and registered to promote growth as a feed additive in terms of the provisions of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947).

Epoetin beta, polyethylene glycol.
Florfenicol.
[Fusafungine] *delete inscription. See inscription in S2.*
Fosaprepitant.
Fluticasone.
Gamma benzene hexachloride, except when intended to be used for the second line treatment of lice in a pack size not exceeding 60ml. (S2)

[Injections, unless listed elsewhere in the Schedules] *delete inscription. See inscription in S3*
[Ivabradine] *delete inscription. See inscription in S3*

Maraviroc.

Metronidazole, except when

a. intended and registered for use in pigeons in terms of the provisions of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947) and

b. intended for human vaginal use, specifically for the treatment of recurrent bacterial vaginosis. (S2)

Methylnaltrexone.

Monensin except when listed elsewhere in the Schedules and except when intended and registered as an anti-coccidial preparation and as a feed additive for growth promotion in terms of the provisions of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947).

Natalizumab.
Niacin when intended for hypercholesterolaemia. (S0)

Pantoprazole, except when intended for the temporary short-term relief of heartburn and hyperacidity, subject to:

a. a maximum daily dose of 20 milligrams (S2); and

b. a maximum treatment period of 14 days. (S2)

Phospholipids when intended for parenteral administration. (S0)
Pimobendan.
Raltegravir.
Rifaximin.
Rivaroxaban.
Robenacoxib.

Trimethoprim, except when specifically intended and registered in combination with sulphonamides for the treatment of gastro-enteritis and pneumonia in terms of the provisions of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947).

Urofollitropin.

SCHEDULE 5 AND SPECIFIED SCHEDULE 5

a. All preparations or mixtures of such substances containing or purporting to contain substances referred to in this Schedule include the following:

   (i) The salts and esters of such substances, where the existence of such salts and esters is possible; and

   (ii) all preparations and mixtures of such substances where such preparations and mixtures are not expressly excluded.

b. In terms of Section 22A(5)(f) of the Act, a practitioner, nurse or a person registered under the Health Professions Act, 1974, other than a medical practitioner or dentist, may prescribe and apply, only within

his/her scope of practice and subject to the indication for use of such substances and medicines and to the conditions determined by the Medicines Control Council, to patients under his/her care, the Schedule 5 and Specified Schedule 5 substances and medicines provided for in the Annexures to this Schedule published in the *Gazette* in terms of the Act.

c. Specified Schedule 5 substances listed in this schedule are subject to additional control in terms of section 22A of the Act as required under the provisions of the 1971 Convention on Psychotropic Substances and are denoted by **

Atomoxetine.

Paliperidone.

SCHEDULE 6

a. All preparations or mixtures of such substances containing or purporting to contain substances referred to in this Schedule include the following (unless expressly excluded or unless listed in another Schedule):

   (i) the isomers of such substances, where the existence of such isomers is possible within the chemical designation;

   (ii) the esters and ethers of such substances and of the isomers referred to in (i) as well as the isomers of such esters and ethers, where the existence of isomers of such esters or ethers is possible;

   (iii) the salts of such substances and of the isomers referred to in (i), as well as the salts of the esters, ethers and isomers referred to in (ii), where the existence of such salts is possible;

   (iv) the isomers of any of the salts referred to in (iii), where the existence of such isomers is possible;

   (v) all preparations and mixtures of any of the above.

b. In terms of Section 22A(5)(f) of the Act, a practitioner, nurse or a person registered under the Health Professions Act, 1974, other than a medical practitioner or dentist, may prescribe and supply, only within his/her scope of practice and subject to the indication for use of such substances and medicines and to the conditions determined by the Medicines Control Council, to patients under his/her care, the Schedule 6 substances and medicines provided for in the Annexures to this Schedule published in the *Gazette* in terms of the Act.

[Atomoxetine] *delete inscription. See inscription in S5*

Pholcodine, except [oral solid] preparations and mixtures when compounded [in combination] with one or more therapeutically active substances, and containing 20 milligrams or less of pholcodine (calculated as base) per dosage unit and liquid oral preparations and mixtures [in combination with one or more therapeutically active substances, and] containing 20 milligrams or less of pholcodine (calculated as base) per 5 millilitre dosage unit. (S2).

These Schedules as amended come into operation on the date of publication in the Government Gazette.

DR A MOTSOALEDI
MINISTER OF HEALTH

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT
DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

No. R. 1231 **31 December 2009**

PROMOTION OF ACCESS TO INFORMATION ACT, 2000

DESCRIPTION SUBMITTED IN TERMS OF SECTION 15(1)

I, Jeffrey Thamsanqa Radebe, Minister of Justice and Constitutional Development, hereby publish under section 15(2) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), the descriptions submitted to me in terms of section 15(1) of the said Act by the –

OFFICE OF THE PREMIER: LIMPOPO

As set out in the Schedule

J. Radebe

JEFFREY THAMSANQA RADEBE, MP
MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT

LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

ACCESS TO RECORDS HELD BY OFFICE OF THE PREMIER
SECTION 15 (1) (a)

Automatic Disclosures
SCHEDULE

DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1) (a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 2000	MANNER OF ACCESS TO RECORDS
1. FOR INSPECTION IN TERMS OF SECTION 15(1)(a) (i)	
1.1. Departmental Strategic Plans 1.2. Annual Performance Plans 1.3. Service Delivery Improvement Plans 1.4. Quarterly reports 1.5. Annual Reports 1.6. Employment Equity Reports 1.7. Approved Organizational structure 1.8. Departmental File Plans 1.9. Departmental Acts, Policies and procedures 1.10. Citizens Reports 1.11. Promotion of Access to Information Manual 1.12. Budget Speeches 1.13. Domain Specific Service Delivery Standards 1.14. Premier's speeches 1.15. Circulars of advertised posts 1.16. Public Service Application Forms (Z83) 1.17. Staff Contact Details Directory 1.18. Journals and magazines 1.19. Bid Documents 1.20. News Letters 1.21. Departmental Media statements 1.22. Provincial Growth & Development Strategy 1.23. Library material (Legal & Communication Services) 1.25 State of the Province Address 1.26. Labour Relations Agreements	The records may be inspected at the Office of the Deputy Information Officer as follows: Office of the Premier 40 Hans Van Rensburg Street (Mowaneng Building) Office No. A122 First Floor) **POLOKWANE**, 0699 Tel. No. 015 287 6312 Fax. No. 015 291 4046 Email address: ***ngobenik@premier. limpopo.gov.za***
2. FOR PURCHASING IN TERMS OF SECTION 15(a)(ii)	
2.1. Bid Documents	The Bid Documents can be purchased at Office of the

	Premier: 40 Hans van Rensburg Street) Revenue & Budget Sub-Division, Office No. 10 - Ground Floor (Bodenstein Building)
3. FOR COPYING IN TERMS OF SECTION 15(a) (ii)	
3.1. Departmental Strategic Plans 3.2. Annual Performance Plans 3.3. Service Delivery Improvement Plans 3.4. Quarterly reports 3.5. Annual Reports 3.6. Employment Equity Reports 3.7. Approved Organizational structure 3.8. Departmental File Plans 3.9. Departmental Acts, Policies and procedures 3.10 Citizens Reports 3.11. Promotion of Access to Information Manual 3.12. Budget Speeches 3.13. Domain Specific Service Delivery Standards 3.14. Premier's speeches 3.15. Circulars of advertised posts 3.16. Public Service Application Forms (Z83) 3.17. Staff Contact Details Directory 3.18. Journals and magazines 3.19. Bid Documents 3.20. News Letters 3.21. Departmental Media statements 3.22. Provincial Growth & Development Strategy 3.23. Library material (Legal & Communication Services) 2.24. State of the Province Address 2.25. Labour Relations Agreements	The records may be accessed for copying at the Office of the Deputy Information Officer as follows: Office of the Premier 40 Hans Van Rensburg Street (Mowaneng Building) Office No. A122 First Floor) **POLOKWANE**, 0699 Tel. No. 015 287 6312 Fax. No. 015 291 4046 Email address: ***ngobenik@premier. limpopo.gov.za***
4. FREE OF CHARGE IN TERMS OF SECTION 15(a)(iii)	
4.1. Journals and magazines 4.2. News Letters 4.3. State of the Province Address 4.4. Departmental Events Calendar 4.5. Public Service Application for Employment Forms (Z83) 4.6. Departmental Media statements	The records may be accessed free of charge at the Office of the Deputy Information Officer as follows: Office of the Premier 40 Hans Van Rensburg Street (Mowaneng Building) Office No. A122 First Floor) **POLOKWANE**, 0699 Tel. No. 015 287 6312 Fax. No. 015 291 4046 Email address: ***ngobenik@premier. limpopo.gov.za***

SOUTH AFRICAN REVENUE SERVICE
SUID-AFRIKAANSE INKOMSTEDIENS

No. R. 1232

31 December 2009

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1398)

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended, **with effect from 1 January 2010**, to the extent set out in the Schedule hereto.

N NENE
DEPUTY MINISTER OF FINANCE

SCHEDULE

By the substitution of the following subheadings:

Heading	Subheading	CD	Article Description	Statistical Unit	Rate of Duty			
					General	EU	EFTA	SADC
48.02	4802.54.90	9	- - - Other	kg	3,75%	3,75%	free	free
48.02	4802.55.90	5	- - - Other	kg	3,75%	3,75%	free	free
48.02	4802.56.90	1	- - - Other	kg	3,75%	3,75%	free	free
48.02	4802.57.90	8	- - - Other	kg	3,75%	3,75%	free	free
48.02	4802.58.90	4	- - - Other	kg	3,75%	3,75%	free	free
48.02	4802.61.90	4	- - - Other	kg	3,75%	3,75%	free	free
48.02	4802.62.90	0	- - - Other	kg	3,75%	3,75%	free	free
48.02	4802.69.90	5	- - - Other	kg	3,75%	3,75%	free	free
48.09	4809.20	5	- Self-copy paper	kg	2,5%	2,5%	1,6%	free
48.10	4810.13.20	9	- - - Of a width not exceeding 150 mm	kg	2,5%	2,5%	2,4%	free
48.10	4810.14.10	8	- - - Other, with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	2,4%	free
48.10	4810.19.10	7	- - - Other, in strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	2,4%	free
48.10	4810.22.10	9	- - - In strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	free	free
48.10	4810.29.10	4	- - - Other, in strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	free	free

Heading	Subheading	CD	Article Description	Statistical Unit	Rate of Duty			
					General	EU	EFTA	SADC
48.10	4810.31.10	8	- - - In strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	free	free
48.10	4810.32.10	4	- - - In strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	free	free
48.10	4810.39.10	9	- - - In strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	free	free
48.10	4810.92.10	1	- - - In strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	free	free
48.10	4810.99.10	6	- - - In strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	free	free
48.11	4811.10.10	6	- - In strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	free	free
48.11	4811.41.10	6	- - - In strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	2,4%	free
48.11	4811.41.90	4	- - - Other	kg	10%	2,5%	6,3%	free
48.11	4811.49.10	7	- - - In strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	2,4%	free
48.11	4811.51.10	0	- - - In strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	free	free
48.11	4811.59.10	1	- - - In strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	free	free
48.11	4811.60.10	9	- - In strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	free	free
48.11	4811.90.10	2	- - In strips or rolls of a width not exceeding 150 mm; in rectangular (including square) sheets with one side not exceeding 360 mm and the other side not exceeding 150 mm in the unfolded state	kg	3,75%	3,75%	free	free
48.16	4816.20	1	- Self-copy paper	kg	2,5%	2,5%	1,6%	free
48.16	4816.90.10	0	- - Carbon or similar copying papers	kg	2,5%	free	free	free

DOEANE- EN AKSYNSET, 1964.
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1398)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig, **met ingang vanaf 1 Januarie 2010**, in die mate in die Bylae hierby aangetoon.

N NENE
ADJUNK MINISTER VAN FINANSIES

BYLAE

Deur die vervanging van die volgende subposte:

Pos	Subpos	TS	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg			
					Algemeen	EU	EFTA	SAOG
48.02	4802.54.90	9	- - - Ander	kg	3,75%	3,75%	vry	vry
48.02	4802.55.90	5	- - - Ander	kg	3,75%	3,75%	vry	vry
48.02	4802.56.90	1	- - - Ander	kg	3,75%	3,75%	vry	vry
48.02	4802.57.90	8	- - - Ander	kg	3,75%	3,75%	vry	vry
48.02	4802.58.90	4	- - - Ander	kg	3,75%	3,75%	vry	vry
48.02	4802.61.90	4	- - - Ander	kg	3,75%	3,75%	vry	vry
48.02	4802.62.90	0	- - - Ander	kg	3,75%	3,75%	vry	vry
48.02	4802.69.90	5	- - - Ander	kg	3,75%	3,75%	vry	vry
48.09	4809.20	5	- Selfkopieerpapier	kg	2,5%	2,5%	1,6%	vry
48.10	4810.13.20	9	- - - Met 'n wydte van hoogstens 150 mm	kg	3,75%	3,75%	2,4%	vry
48.10	4810.14.10	8	- - - Ander, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	2,4%	vry
48.10	4810.19.10	7	- - - Ander, in repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	2,4%	vry
48.10	4810.22.10	9	- - - In repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	vry	vry
48.10	4810.29.10	4	- - - Ander, in repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	vry	vry

Pos	Subpos	T S	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg			
					Algemeen	EU	EFTA	SAOG
48.10	4810.31.10	8	- - - In repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	vry	vry
48.10	4810.32.10	4	- - - In repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	vry	vry
48.10	4810.39.10	9	- - - In repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	vry	vry
48.10	4810.92.10	1	- - - In repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	vry	vry
48.10	4810.99.10	6	- - - In repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	vry	vry
48.11	4811.10.10	6	- - - In repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	vry	vry
48.11	4811.41.10	6	- - - In repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	2,4%	vry
48.11	4811.41.90	4	- - - Ander	kg	10%	2,5%	6,3%	vry
48.11	4811.49.10	7	- - - In repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	2,4%	vry
48.11	4811.51.10	0	- - - In repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	vry	vry
48.11	4811.59.10	1	- - - In repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	vry	vry
48.11	4811.60.10	9	- - - In repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	vry	vry
48.11	4811.90.10	2	- - - In repe of rolle met 'n wydte van hoogstens 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van hoogstens 360 mm en die ander kant van hoogstens 150 mm in die ongevoude vorm	kg	3,75%	3,75%	vry	vry
48.16	4816.20	1	- Selfkopieerpapier	kg	2,5%	2,5%	1,6%	vry
48.16	4816.90.10	0	- Deurslag- of dergelike kopieerpapier	kg	2,5%	vry	vry	vry

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1396)

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

N NENE
DEPUTY MINISTER OF FINANCE

SCHEDULE

By the deletion of the following subheadings:

Heading	Sub-heading	CD	Article Description	Statistical Unit	Rate of Duty			
					General	EU	EFTA	SADC
84.19	8419.11.20	4	- - - Non-domestic type	u	free	free	free	free
84.19	8419.19.20	5	- - - Non-domestic type	u	free	free	free	free

By the insertion of the following subheadings:

Heading	Sub-heading	CD	Article Description	Statistical Unit	Rate of Duty			
					General	EU	EFTA	SADC
84.19	8419.11.90	5	- - - Other	u	free	free	free	free
84.19	8419.19.90	6	- - - Other	u	free	free	free	free

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1396)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig, in die mate in die Bylae hierby aangetoon.

N NENE
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die skrapping van die volgende subposte:

Pos	Subpos	T S	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg			
					Algemeen	EU	EFTA	SAOG
84.19	8419.11.20	4	- - - Nie-huishoudelike tipe	e	vry	vry	vry	vry
84.19	8419.19.20	5	- - - Nie-huishoudelike tipe	e	vry	vry	vry	vry

Deur die invoeging van die volgende subposte:

Pos	Subpos	T S	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg			
					Algemeen	EU	EFTA	SAOG
84.19	8419.11.90	5	- - - Ander	e	vry	vry	vry	vry
84.19	8419.19.90	6	- - - Ander	e	vry	vry	vry	vry

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1397)

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended, **with retrospective effect from 1 January 2007,** to the extent set out in the Schedule hereto.

N NENE
DEPUTY MINISTER OF FINANCE

SCHEDULE

By the substitution of the following subheadings with effect from 1 January 2007 until 31 December 2007:

Heading	Subheading	C D	Article Description	Statistical Unit	Rate of Duty			
					General	EU	EFTA	SADC
98.01	9801.00.45	2	- For motor vehicles for the transport of goods of heading 87.04, of a vehicle mass exceeding 2 000 kg and a G.V.M. exceeding 3 500 kg, or of a mass exceeding 1 600 kg and of a G.V.M. exceeding 3 500 kg per chassis fitted with a cab (excluding dumpers designed for off-highway use, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks)	kg	25%	25%	25%	25%
98.01	9801.00.55	8	- For chassis fitted with engines of heading 87.06, of a mass exceeding 1 600 kg and a G.V.M. exceeding 3 500 kg (excluding those for dumpers designed for off-highway use, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks)	kg	25%	25%	25%	25%

By the substitution of the following subheadings with effect from 1 January 2008 until 31 December 2008:

Heading	Subheading	CD	Article Description	Statistical Unit	Rate of Duty			
					General	EU	EFTA	SADC
98.01	9801.00.45	2	- For motor vehicles for the transport of goods of heading 87.04, of a vehicle mass exceeding 2 000 kg and a G.V.M. exceeding 3 500 kg, or of a mass exceeding 1 600 kg and of a G.V.M. exceeding 3 500 kg per chassis fitted with a cab (excluding dumpers designed for off-highway use, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks)	kg	24%	24%	24%	24%
98.01	9801.00.55	8	- For chassis fitted with engines of heading 87.06, of a mass exceeding 1 600 kg and a G.V.M. exceeding 3 500 kg (excluding those for dumpers designed for off-highway use, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks)	kg	24%	24%	24%	24%

By the substitution of the following subheadings with effect from 1 January 2009 until 31 December 2009:

Heading	Subheading	CD	Article Description	Statistical Unit	Rate of Duty			
					General	EU	EFTA	SADC
98.01	9801.00.45	2	- For motor vehicles for the transport of goods of heading 87.04, of a vehicle mass exceeding 2 000 kg and a G.V.M. exceeding 3 500 kg, or of a mass exceeding 1 600 kg and of a G.V.M. exceeding 3 500 kg per chassis fitted with a cab (excluding dumpers designed for off-highway use, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks)	kg	23%	23%	23%	23%
98.01	9801.00.55	8	- For chassis fitted with engines of heading 87.06, of a mass exceeding 1 600 kg and a G.V.M. exceeding 3 500 kg (excluding those for dumpers designed for off-highway use, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks)	kg	23%	23%	23%	23%

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NR. 1 (NO. 1/1/1397)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig, **met terugwerkende krag vanaf 1 Januarie 2007**, in die mate in die Bylae hierby aangetoon.

N NENE
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die vervanging van die volgende subposte met ingang vanaf 1 Januarie 2007 tot 31 Desember 2007:.

Pos	Subpos	T S	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg			
					Algemeen	EU	EFTA	SAOG
98.01	9801.00.45	2	- Vir motorvoertuie vir die vervoer van goedere van pos 87.04 met 'n voertuigmassa van meer as 2 000 kg en 'n B.V.M van meer as 3 500 kg, of met 'n massa van meer as 1 600 kg en met 'n B.V.M. van meer as 3 500 kg per onderstel toegerus met 'n kajuit (uitgesonderd storters ontwerp vir gebruik op rowwe terrein, rolbodemwaens en laekonstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvragmotors)	kg	25%	25%	25%	25%
98.01	9801.00.55	8	- Vir onderstelle met enjins toegerus van pos 87.06, met 'n massa van meer as 1 600 kg en met 'n B.V.M. van meer as 3 500 kg (uitgesonderd storters ontwerp vir gebruik op rowwe terrein, rolbodemwaens en laekonstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvragmotors)	kg	25%	25%	25%	25%

Deur die vervanging van die volgende subposte met ingang vanaf 1 Januarie 2008 tot 31 Desember 2008:

Pos	Subpos	T S	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg			
					Algemeen	EU	EFTA	SAOG
98.01	9801.00.45	2	- Vir motorvoertuie vir die vervoer van goedere van pos 87.04 met 'n voertuigmassa van meer as 2 000 kg en 'n B.V.M van meer as 3 500 kg, of met 'n massa van meer as 1 600 kg en met 'n B.V.M. van meer as 3 500 kg per onderstel toegerus met 'n kajuit (uitgesonderd storters ontwerp vir gebruik op rowwe terrein, rolbodemwaens en laekonstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvragmotors)	kg	24%	24%	24%	24%
98.01	9801.00.55	8	- Vir onderstelle met enjins toegerus van pos 87.06, met 'n massa van meer as 1 600 kg en met 'n B.V.M. van meer as 3 500 kg (uitgesonderd storters ontwerp vir gebruik op rowwe terrein, rolbodemwaens en laekonstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvragmotors)	kg	24%	24%	24%	24%

Deur die vervanging van die volgende subposte met ingang vanaf 1 Januarie 2009 tot 31 Desember 2009:

Pos	Subpos	T S	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg			
					Algemeen	EU	EFTA	SAOG
98.01	9801.00.45	2	- Vir motorvoertuie vir die vervoer van goedere van pos 87.04 met 'n voertuigmassa van meer as 2 000 kg en 'n B.V.M van meer as 3 500 kg, of met 'n massa van meer as 1 600 kg en met 'n B.V.M. van meer as 3 500 kg per onderstel toegerus met 'n kajuit (uitgesonderd storters ontwerp vir gebruik op rowwe terrein, rolbodemwaens en laekonstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvragmotors)	kg	23%	23%	23%	23%
98.01	9801.00.55	8	- Vir onderstelle met enjins toegerus van pos 87.06, met 'n massa van meer as 1 600 kg en met 'n B.V.M. van meer as 3 500 kg (uitgesonderd storters ontwerp vir gebruik op rowwe terrein, rolbodemwaens en laekonstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvragmotors)	kg	23%	23%	23%	23%

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 3 (NO. 3/653)

In terms of section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended, **with retrospective effect from 1 January 2007**, to the extent set out in the Schedule hereto.

N NENE
DEPUTY MINISTER OF FINANCE

SCHEDULE

By the deletion of rebate item 317.02/00.00/06.00:

Rebate Item	Tariff Heading	Rebate Code	C D	Description	Extent of Rebate
317.02	00.00	06.00	02	Goods of any description (excluding two-wheeled tractors and trailers whether or not presented together and excluding chassis fitted with engines) for the manufacture of dumpers with articulated chassis of a G.V.M. exceeding 5 tons of tariff subheadings 8704.22.90 and 8704.23.90	Full duty

No. R. 1235 **31 Desember 2009**

DOEANE EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NR. 3 (NO. 3/653)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by bogenoemde Wet hiermee gewysig, **met terugwerkende krag vanaf 1 Januarie 2007**, in die mate in die Bylae hierby aangetoon.

N NENE
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur kortingitem 317.02/00.00/06.00 te skrap:

Kortingitem	Tariefpos	Kortingkode	T S	Beskrywing	Mate van Korting
317.02	00.00	06.00	02	Goedere van enige beskrywing (uitgesonderd tweewieltrekkers en sleepwaens hetsy saam aangebied al dan nie en uitgesonderd onderstelle met enjins toegerus) vir die vervaardiging van storters met gelede onderstelle met 'n B.V.M. van meer as 5 ton van tariefposte 8704.22.90 en 8704.23.90	Volle reg

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 3 (NO. 3/654)

In terms of section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended, **with retrospective effect from 1 January 2007**, to the extent set out in the Schedule hereto.

N NENE
DEPUTY MINISTER OF FINANCE

SCHEDULE

By the substitution for Note 20 to rebate item 317.04 of the following:

Rebate Item	Tariff Heading	Rebate Code	C D	Description	Extent of Rebate
317.04				NOTE: 20. The International Trade Administration Commission may approve and issue import rebate credit certificates to exporters in respect of eligible exports as defined in Note 15, exported, provided the under-mentioned conditions are complied with: (i) such goods were packed and exported under customs supervision unless otherwise determined by the Commissioner (except for dumpers with articulated chassis with a G.V.M. exceeding 5 tons exported during the period from **1 January 2007 to 31 December 2009**); (ii) all export documentation supported by duly completed form DA 190, and proof of repatriation of funds for the goods exported shall be kept available by the registered exporter under such conditions that may be determined by the International Trade Administration Commission; (iii) in order to qualify for stated benefits, applications for import rebate credit certificates are to be submitted to the International Trade Administration Commission, not later than 12 months from the date of the export bill of entry (except in the case of dumpers with articulated chassis with a G.V.M. exceeding 5 tons exported during the period from **1 January 2007 to 31 December 2009,** in respect of which applications for import rebate credit certificates to the International Trade Administration Commission must be submitted not later than 12 months from **31 December 2009**); and (iv) only goods which have physically left the common customs area shall qualify. Such foreign currency earnings may only qualify for import rebate credit certificates if proof, to the satisfaction of the International Trade Administration Commission , has been furnished including evidence that the payment of such proceeds emanate from the direct inflow of foreign exchange through a registered banking institution. Non-compliance of any of these provisions shall not affect the obligations of the user of the rebate credit certificate under this item.	

DOEANE EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NR. 3 (NO. 3/654)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by bogenoemde Wet hiermee gewysig, **met terugwerkende krag vanaf 1 Januarie 2007**, in die mate in die Bylae hierby **aangetoon.**

N NENE
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur Opmerking 20 van kortingitem 317.04 deur die volgende te vervang:

Kortingitem	Tariefpos	Kortingkode	T S	Beskrywing	Mate van Korting
317.04				OPMERKING: 20. Die Internasionale Handelsadministrasie Kommissie mag invoerkortingkredietsertifikate goedkeur en uitgereik aan uitvoerders ten opsigte van geskikte uitvoere soos omskryf in Opmerking 15, uitgevoer, op voorwaarde dat die onderstaande bepalings nagekom word: (i) sodanige goedere onder doeane toesig verpak en uitgevoer is tensy andersins deur die Kommissaris bepaal (behalwe storters met gelede onderstelle met 'n B.V.M. van meer as 5 ton uitgevoer gedurende die tydperk vanaf **1 Januarie 2007 tot 31 Desember 2009**); (ii) alle uitvoerdokumentasie ondersteun deur behoorlik voltooide vorm DA 190 en bewys van repatriasie van fondse vir die goedere uitgevoer beskikbaar gehou word deur die geregistreerde uitvoerder op sodanige voorwaardes wat deur die Internasionale Handelsadministrasie Kommissie bepaal mag word; (iii) ten einde vir enige genoemde voordele te kwalifiseer, moet aansoeke vir invoerkorting= kredietsertifikate nie later as 12 maande vanaf die datum van die uitvoerklaringsbrief aan die Internasionale Handelsadministrasie Kommissie voorgelê word nie (behalwe in die geval van storters met gelede onderstelle met 'n B.V.M. van meer as 5 ton uitgevoer gedurende die tydperk vanaf **1 Januarie 2007 tot 31 Desember 2009**, ten opsigte van aansoeke wat ingedien moet word aan die Internasionale Handelsadministrasie Kommissie, nie later as 12 maande vanaf **31 Desember 2009** nie); en (iv) slegs goedere wat fisies die gemeenskaplike doeanegebied verlaat het mag kwalifiseer. Sodanige vreemde valutaverdienste mag alleenlik vir invoerkortingkredietsertifikate kwalifiseer indien bewys tot bevrediging van die Internasionale Handelsadministrasie Kommissie gelewer is, insluitende bewyse dat betaling van sodanige opbrengste afkomstig is van die direkte invloei van die vreemde valuta deur 'n geregistreerde bankinstelling. Nie-voldoening aan enige van die voornoemde sal nie die gebruiker van die invoerkortingkredietsertifikaat vrystel van enige verpligtinge ingevolge hierdie item nie.	

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 3 (NO. 3/655)

In terms of section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended, **with retrospective effect from 1 January 2007**, to the extent set out in the Schedule hereto.

N NENE
DEPUTY MINISTER OF FINANCE

SCHEDULE

By the substitution for Note 1 to rebate item 317.07 of the following:

Rebate Item	Tariff Heading	Rebate Code	C D	Description	Extent of Rebate
317.07				NOTE: 1. "Heavy vehicles" means - (a) road tractors for semi-trailers of subheading 8701.20 of a vehicle mass exceeding 1 600 kg; (b) motor vehicles for the transport of ten or more persons, including the driver, of heading 87.02, of a vehicle mass exceeding 2 000 kg (excluding those of subheading 8702.10.10); (c) motor vehicles for the transport of goods of heading 87.04, of a vehicle mass exceeding 2 000 kg and a G.V.M. exceeding 3 500 kg or of a mass exceeding 1 600 kg and of a G.V.M. exceeding 3 500 kg per chassis fitted with a cab (excluding dumpers designed for off-highway use, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks); and (d) chassis fitted with engines of heading 87.06, of a mass exceeding 1 600 kg and of a G.V.M. exceeding 3 500 kg (excluding those for dumpers designed for off-highway use, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks).	

DOEANE EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NR. 3 (NO. 3/655)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by bogenoemde Wet hiermee gewysig, **met terugwerkende krag vanaf 1 Januarie 2007,** in die mate in die Bylae hierby aangetoon.

N NENE
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur Opmerking 1 van kortingitem 317.07 deur die volgende te vervang:

Kortingitem	Tariefpos	Kortingkode	T S	Beskrywing	Mate van Korting
317.07				OPMERKING: 1. "Swaar voertuie" beteken - (a) padtrekkers vir leunsleepwaens van subpos 8701.20 met 'n voertuigmassa van meer as 1 600 kg; (b) motorvoertuie vir die vervoer van tien of meer persone, insluitende die bestuurder, van pos 87.02, met 'n voertuigmassa van meer as 2 000 kg (uitgesonderd voertuie van subpos 8702.10.10); (c) motorvoertuie vir die vervoer van goedere van pos 87.04, met 'n voertuigmassa van meer as 2 000 kg en met 'n B.V.M. van meer as 3 500 kg of met 'n massa van meer as 1 600 kg en met 'n B.V.M. van meer as 3 500 kg per onderstel toegerus met 'n kajuit (uitgesonderd storters ontwerp vir gebruik op rowwe terrein, rolbodemwaens en laekonstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvragmotors); en (d) onderstelle toegerus met enjins van pos 87.06, met 'n massa van meer as 1 600 kg en met 'n B.V.M. van meer as 3 500 kg (uitgesonderd storters ontwerp vir gebruik op rowwe terrein, rolbodemwaens en laekonstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvragmotors).	

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 4 (NO. 4/327)

In terms of section 75 of the Customs and Excise Act, 1964, Schedule No. 4 to the said Act is hereby amended, **with retrospective effect from 1 January 2007**, to the extent set out in the Schedule hereto.

N NENE
DEPUTY MINISTER OF FINANCE

SCHEDULE

By the substitution for rebate items 460.17/87.04/01.04 and 460.17/87.06/01.04 of the following:

Rebate Item	Tariff Heading	Rebate Code	C D	Description	Extent of Rebate
460.17	87.04	01.04	47	Motor vehicles for the transport of goods (excluding motor vehicles of subheading 8704.10)	Not exceeding the duty as calculated in terms of the Notes to this rebate item
460.17	87.06	01.04	44	Chassis fitted with engines for motor vehicles of headings 87.01 to 87.05 (excluding those for vehicles of subheading 8704.10)	Not exceeding the duty as calculated in terms of the Notes to this rebate item

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NR. 4 (NO. 4/327)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 4 by bogenoemde Wet hiermee gewysig, **met terugwerkende krag vanaf 1 Januarie 2007,** in die mate in die Bylae hierby aangetoon.

N NENE
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die vervanging van kortingitems 460.17/87.04/01.04 and 460.17/87.06/01.04 deur die volgende:

Kortingitem	Tariefpos	Kortingkode	T S	Beskrywing	Mate van Korting
460.17	87.04	01.04	47	Motorvoertuie vir die vervoer van goedere (uitgesonderd motorvoertuie van subpos 8704.10)	Hoogstens die reg bereken kragtens die Opmerkings by die kortingitem
460.17	87.06	01.04	44	Onderstelle met enjins toegerus vir motorvoertuie van poste 87.01 tot 87.05 (uitgesonderd dié vir motorvoertuie van pos 8704.10)	Hoogstens die reg bereken kragtens die Opmerkings by die kortingitem

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 5 (NO. 5/90)

In terms of section 75 of the Customs and Excise Act, 1964, Schedule No. 5 to the said Act is hereby amended, **with retrospective effect from 1 January 2007**, to the extent set out in the Schedule hereto.

N NENE
DEPUTY MINISTER OF FINANCE

SCHEDULE

By the substitution for drawback items 537.01/87.04/01.04 and 537.01/87.06/01.04 of the following:

Drawback Item	Tariff Heading	Code	C D	Description	Extent of Drawback
537.01	87.04	01.04	44	Motor vehicles for the transport of goods (excluding motor vehicles of subheading 8704.10)	Not exceeding the duty in Part 1 of Schedule No. 1 calculated on the value reflected on the import rebate credit certificates issued in the name of the importer and subject to the Note to this item
537.01	87.06	01.04	47	Chassis fitted with engines for motor vehicles of headings 87.01 to 87.05 (excluding those for vehicles of heading 8704.10)	Not exceeding the duty in Part 1 of Schedule No. 1 calculated on the value reflected on the import rebate credit certificates issued in the name of the importer and subject to the Note to this item

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NR. 5 (NO. 5/90)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 5 by bogenoemde Wet hiermee gewysig, **met terugwerkende krag vanaf 1 Januarie 2007**, in die mate in die Bylae hierby aangetoon.

N NENE
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die vervanging van teruggawe items 537.01/87.04/01.04 en 537.01/87.06/01.04 van die volgende:

Teruggawe Item	Tariefpos	Kode	T S	Beskrywing	Mate van Teruggawe
537.01	87.04	01.04	44	Motorvoertuie vir die vervoer van goedere (uitgesonderd motorvoertuie van subpos 8704.10)	Hoogstens die reg in Deel 1 van Bylae No. 1 bereken op die waarde aangedui op die invoerkortingkredietsertifikate uitgereik in die naam van die invoerder en onderhewig aan die Opmerking by hierdie item
537.01	87.06	01.04	47	Onderstelle met enjins toegerus vir motorvoertuie van poste 87.01 tot 87.05 (uitgesonderd dié vir motorvoertuie van pos 8704.10)	Hoogstens die reg in Deel 1 van Bylae No. 1 bereken op die waarde aangedui op die invoerkortingkredietsertifikate uitgereik in die naam van die invoerder en onderhewig aan die Opmerking by hierdie item

No. R. 1240 **31 December 2009**

CUSTOMS AND EXCISE ACT, 1964
AMENDMENT OF RULES (DAR/67)

Under sections 49B and 120 of the Customs and Excise Act, 1964, the rules published in Government Notice R.1874 of 8 December 1995 are amended to the extent set out in the Schedule hereto.

GEORGE NGAKANE VIRGIL MAGASHULA
COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE

SCHEDULE

(a) By the substitution in rule 49B.01 for paragraph *(e)* of the following paragraph:

"*(e)* (i) Subject to section 3(2), any power, duty or function contemplated in section 49(6), is delegated in terms of section 49(6)*(b)*(vi) to the extent specified in these rules to the Manager: Origin Administration, the Controller or any officer designated by that Manager or Controller.

(ii) For the purposes of subparagraph (i) any officer authorised by the Manager: Origin Administration or the Controller, may exercise any power conferred or duty or function imposed on any authority in Annex I or on any officer in terms of any other provision of this Act for the purpose of verification of the originating status of goods or the fulfilment of the other requirements of Annex I."

(b) By the substitution in rule 49B.06(5) for paragraph *(a)* of the following paragraph:

"*(a)* Where any importer requests approval to import goods contemplated in the Rule in more than one consignment application shall be in writing and -

(i) in the case of any machine provided for in Additional Note 1 of Section XVI of Part 1 of Schedule No. 1, apply to the Senior Manager: Customs Legislative and Interpretation at Head Office and forward a copy of the application to the Manager: Origin Administration;

(ii) in the case of other unassembled or disassembled goods the application shall be made to the Manager: Origin Adrninistration stating a full description of the goods, the tariff heading, the number of consignments and include pro forma invoices of each."

(c) By the substitution in rule 49B.07(6) for paragraph *(a)* of the following paragraph:

"*(a)* Application shall be made to the Controller in writing;"

(d) By the substitution in rule 49B.10(9)1*(b)* for subparagraph (iii) of the following subparagraph:

"(iii) The SCO, export bill of entry and supporting documents shall be delivered for processing at the office of the Controller nearest to the place of business of the exporter unless the Manager: Origin Administration or the Controller otherwise determines."

(e) By the substitution in rule 49B.10(9)2*(a)* for subparagraph (ii) of the following subparagraph:

"(ii) it is demonstrated to the satisfaction of the authorised officer contemplated in rule 49B.01*(e)*(ii) that the SCO was issued but was not accepted at importation in the Member State of destination for technical reasons."

(f) By the substitution in rule 49B.10(9)2 for paragraph *(e)* of the following paragraph:

"*(e)* The application for the issue of the SCO retrospectively shall be considered by the Controller."

(g) By the substitution in rule 49B.10(9)3*(b)* for the words preceding subparagraph (i) of the following words:

"*(b)* The exporter shall furnish to the Controller where the original SCO was issued –"

(h) By the substitution in rule 49B.10(9)3 for paragraphs *(c)* and *(d)* of the following paragraphs:

"*(c)* The Controller must –

(i) ensure that a copy of the original application form is attached to the application form for a duplicate; and

(ii) take into account the facts and circumstances considered when the original SCO was issued.

(d) If the Controller decides to certify the duplicate SCO, he or she shall stamp and sign it in the same way as any other SCO, but in Box 13 after the word "Date", he or she shall insert the words "from which this duplicate certificate is valid" and thereafter the date of the original SCO."

(ij) By the substitution in rule 49B.10(9)4 for paragraph *(a)* of the following paragraph:

"*(a)* Any SCO in respect of imported goods requiring verification shall be submitted on the form Verification of Origin contained in Appendix IV to Annex I by the Manager: Origin Administration to the customs authority of the Member State where the SCO was issued."

(k) By the substitution in rule 49B.10(9)4*(b)* for subparagraph (i) of the following subparagraph:

"(i) If the Controller has reasonable doubts about an SCO, the originating status of the goods concerned or the fulfilment of the other requirements of Annex I, such Controller may, unless the Manager: Origin Administration otherwise determines, allow release only on the furnishing of adequate security pending a report by the customs authority of the Member State on the originating status of the goods."

(l) By the substitution for rule 49B.14 of the following paragraph:

"49B.14 Any person involved in a dispute concerning any decision or determination in respect of the application or interpretation of any provision of origin may, before any appeal to court as contemplated in section 49(7)*(b)*, make use of any procedure provided for in Chapter XA of the Act."

(m) By the substitution in rule 49B.17.01*(a)*(i) for the definitions of "SADC Member State" and "SACU Central Coordinating Authority" of the following definitions:
"SACU Central Coordinating Authority" (which the addendum states is SARS (the South African Revenue Service)) shall be the officer to whom any power, duty or function for the purposes of administering the provisions of Annex VII and the Addendum relating to such authority is delegated in these rules.

"SADC Member State" means any SADC Member State listed in paragraph 6 of Note K of the General Notes to Schedule No. 1 which member states are, Botswana, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe."

(n) By the substitution in rule 49B.17.01*(a)*(iii) for item *(aa)* of the following item:

"*(aa)* In terms of Article 1 of Annex VII sugar must be wholly produced by the sugar producer in the non-SACU SADC Member State to qualify for a quota."

(o) By the substitution in rule 49B.17.01*(b)* for subparagraph (i) of the following subparagraph:

"(i) Subject to section 3(2), any power, duty or function contemplated in section 49(6) including those of the SACU Central Coordinating Authority contemplated in the Addendum is delegated in terms of section 49(6)*(b)*(vi) to the extent specified in these rules to the MOA, the Controller or any officer designated by that Manager or Controller."

(p) By the substitution in rule 49B.17.02*(b)* for the wording preceding subparagraph (i) of the following wording:

"*(b)* Procedures applicable to the MOA in exercising the powers and performing the duties and functions of the SACU Central Coordinating Authority."

(q) By the substitution in rule 49B.17.02*(b)* for subparagraph (i) of the following subparagraph:

"(i) The MOA shall ensure that SARS is notified in writing by the non-SACU SADC Member State of -

(aa) the quota allocating authority responsible for administering the duty-free quota access for net surplus sugar produced in SADC countries (paragraph 1.1 of the Addendum);

(bb) the certificate of origin issuing authority responsible for administering the duty-free quota access for net surplus sugar produced in the SADC countries (paragraph 1.2 of the Addendum); and

(cc) the particulars of each exporter registered by, and to whom quotas have been allocated by, the quota allocating authority (paragraph 2.2 of the Addendum)."

(r) By the substitution in rule 49B.17.02*(b)* for subparagraph (ii) of the following subparagraph:

"(ii) *(aa)* Such Member State is only allowed one quota allocating authority and one certificate of origin issuing authority (paragraph 1.3 of the Addendum).

(bb) Only imports of sugar from registered exporters notified as contemplated in subparagraph (i)*(cc)* may be entered under item 460.04 (paragraph 2.3 of the Addendum).

(cc) Quota allocations and adjustments thereof must be notified to the SACU Central Coordinating Authority by the quota allocating authority in writing within seven working days after such allocations or adjustments have been made (paragraph 3.3 of the Addendum).

(dd) The MOA must advise all Controllers and the customs administrations of the SACU Member States of the particulars of the quota allocating authority, the origin authority, each registered exporter and the quotas allocated to that exporter.

(ee) The MOA must record the details referred to in subparagraph (i) for verification purposes and for deductions when imports are made into SACU (paragraph 2.2 of the Addendum)."

(s) By the substitution in rule 49B.17.02*(b)* for subparagraphs (iii) and (iv) and both subparagraphs (v) of the following subparagraphs:

"(iii) In terms of paragraph 5 of the Addendum, the MOA must submit quarterly reports to the TCS on the following:

(aa) "The number and details of registered exporters per Member State";

(bb) "The volume and value of certificates of origin utilised by each qualifying Member State; and"

(cc) "The quantities still available in terms of allocated quantitative limits for each Member State".

(iv) The MOA must keep complete records of all documentation relating to the administration of the sugar quotas including all notifications to and from the relevant authorities, the TCS and ports of entry."

(t) By the substitution in rule 49B.17.02 for paragraph *(c)* of the following paragraph:

"*(c)* Procedures applicable to the clearance of sugar at the port of entry:

(i) *(aa)* Upon presentation of an original certificate of origin, the customs authority of the importing SACU Member State shall verify the details of the exporter appearing on the certificate against the details of the registered exporter sent by the quota allocating authority and received from the MOA.

(bb) In cases of reasonable doubt, regarding those details, the customs authority of the importing SACU Member State shall, in accordance with the provisions of rule 9(3) and 9(4) of Annex I, submit a report, the certificate of origin, and all relevant documents to the Commissioner for attention of the MOA for verification.

(cc) The request for verification shall be submitted by the MOA to the issuing authority on the form contained in Appendix IV to Annex I.

(dd) The customs authority shall, in accordance with the provisions of rule 9(4) of Annex I, where the enquiry solely concerns further evidence, allow release of the consignment

of sugar on the furnishing of adequate security to cover the duty at the general rate of duty specified in Part 1 of Schedule No. 1.

(ii) If the certificate of origin is found to be untrue in any material way the consignment must be dealt with as contemplated in rule 49B.17.11(10).

(iii) The number of the certificate of origin and a declaration that the sugar complies with the requirements of Annex VII and the Addendum, must be endorsed on the import bill of entry concerned.

(iv) Where sugar for which the certificate of origin has been issued is not exported within 20 working days from the date of issue, duty must be collected at the general rate of duty specified in Part 1 of Schedule No. 1 as contemplated in Note *4(d)* to item 460.04.

(v) Customs ports of entry in SACU must –

(aa) upon clearance notify the Central Coordinating Authority (the MOA in SARS Head Office) of imports under the quota arrangement contemplated in these rules (paragraph 4.4 of the Addendum); and

(bb) keep certificates of origin, import bills of entry, notifications and other communications received from the MOA and other documents relating to such importations for a period of five years from the date any consignment is entered for home consumption."

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 4 (NO. 4/328)

In terms of section 75 of the Customs and Excise Act, 1964, Schedule No. 4 to the said Act is hereby amended to the extent set out in the Schedule hereto.

N NENE
DEPUTY MINISTER OF FINANCE

SCHEDULE

By the substitution in item 460.04 in Part 2 of Schedule No. 4 for the definition of "SACU central co-ordinating authority" in Note 1 and the substitution for Notes 2 and 4 of the following:

Rebate Item	Tariff Heading	Rebate Code	C D	Description	Extent of Rebate
460.04				Notes: "SACU Central Coordinating Authority" means the Commissioner for the South African Revenue Service;" "2. Entry under rebate of duty in terms of sugar classified under heading 17.01 shall - *(a)* only apply to sugar for which quotas have been allocated to registered exporters by a non-SACU SADC Member State and certificates of origin which have been issued in accordance with the provisions of the Addendum to Annex VII; *(b)* be subject to - (i) production of the following documents together with the other documents required in terms of section 39 – *(aa)* a valid original certificate of origin which must be verified in respect of the registered exporter as prescribed in paragraph 4.3 of the Addendum and the rules;	

Rebate Item	Tariff Heading	Rebate Code	C D	Description	Extent of Rebate
				(bb) proof that the sugar has been consigned directly from the premises of a certified exporter to a consignee in the Republic as contemplated in Rule 2 of Annex I; (ii) compliance with - *(aa)* other provisions of the Addendum to Annex VII; *(bb)* any relevant provision of rule 49B." "4. *(a)* In cases of reasonable doubt regarding the details of a registered exporter appearing on an original certificate of origin as contemplated in the Addendum to Annex VII, the customs authority of an importing SACU Member State shall submit the documents for verification to the Commissioner as prescribed in the rules. *(b)* If any sugar for which the certificate of origin has been issued is not exported within 20 working days from the date of issue, the sugar shall, on importation into the Republic, be liable to duty at the general rate of duty specified in Part 1 of Schedule No. 1."	

No. R. 1241 **31 Desember 2009**

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NR. 4 (NO. 4/328)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 4 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

N NENE
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die vervanging in item 460.04 by Deel 2 van Bylae No. 4 vir die definisie van "SADU sentrale ko-ordinerende gesag" in Opmerking 1 en die vervanging van Opmerkings 2 en 4 van die volgende:

Kortingitem	Tariefpos	Kortingkode	T S	Beskrywing	Mate van Korting
				Opmerkings: "SADU Sentrale Ko-ordinerende Gesag" beteken die Kommissaris van die Suid-Afrikaanse Inkomstediens;" "2. Klaring onder korting op reg ingevolge suiker indeelbaar onder pos 17.01 sal - *(a)* slegs van toepassing wees op suiker waarvoor kwotas toegeken is aan geregistreerde uitvoerders deur 'n nie-SADU SAOG Lidstaat en sertifikate van oorsprong wat uitgereik is dienooreenkomstig die bepalings van die Addendum tot Annex VII; *(b)* onderhewig wees aan - (i) voorlegging van die volgende dokumente tesame met die ander dokumente verlang ingevolge artikel 39 - *(aa)* 'n geldige oorspronklike sertifikaat van oorsprong, wat nagegaan moet word ten opsigte van 'n geregistreerde uitvoerder soos in paragraaf 4.3 van die Addendum en die reëls bepaal;	

Kortingitem	Tariefpos	Kortingkode	T S	Beskrywing	Mate van Korting
				(bb) bewys dat die suiker direk van die perseel van 'n geregistreerde uitvoerder na 'n ontvanger in die Republiek versend was soos bedoel in Reël 2 van Annex 1; (ii) in ooreenstemming met - *(aa)* ander voorsienings van die Addendum tot Annex VII; *(bb)* enige toepaslike voorsiening by reël 49B." "4. *(a)* In gevalle van redelike twyfel rakende die besonderhede van 'n geregistreerde uitvoerder waar dit op 'n oorspronklike sertifikaat van oorsprong soos in die Addendum tot Annex VII bedoel verskyn, sal die doeanegesag van die invoerende SADU Lidstaat die dokumente voorlê aan die Kommissaris om nagegaan te word soos in die reëls bepaal. *(b)* Indien enige suiker, waarvoor 'n sertifikaat van oorsprong uitgereik is, nie binne 20 werksdae vanaf die datum van uitreiking uitgevoer is nie, sal die suiker, by tye van invoere in die Republiek aan die algemene skaal van reg, vermeld in Deel 1 van Bylae No. 1, onderhewig wees."	