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GENERAL NOTICE

NOTICE 470 OF 2013

ECONOMIC DEVELOPMENT DEPARTMENT

POLICY DIRECTIVE ON THE EXPORTATION OF FERROUS AND NON-FERROUS WASTE AND SCRAP METAL

1. BACKGROUND

On 25 January 2013, the Minister of Economic Development (*“the Minister”*) published for comment a draft policy directive to the International Trade Administration Commission of South Africa (*“ITAC”*) in terms of the International Trade Administration Act (71 of 2002) (*“the ITA Act”*) on the exportation of ferrous and non-ferrous waste and scrap metal.

The memorandum set out the reasons for issuing such a draft policy directive including issues related to industry and job implications, energy and the environment. It also set out the objectives of the draft policy directive.

Stakeholders and interested parties were invited to submit comments on the draft policy directive before the Minister decided whether to issue a policy directive, and if so, in what terms.

Following consideration of the comments received, the Minister now issues the following policy directive to ITAC in terms of the ITA Act.

2. POLICY DIRECTIVE

The Minister of Economic Development hereby issues a trade policy directive in terms of section 5 of the International Trade Administration Act, that ITAC shall exercise its powers under that Act in accordance with the following policy:

- a. Ferrous and non-ferrous waste and scrap metal should not be exported unless it has first been offered to domestic users of scrap, for a period

determined by ITAC, and at a price discount or other formula determined by ITAC intended to facilitate local rather than export sale.

- b. To ensure the type and quality of scrap metal that is intended for export are accurately reflected on applications for export permits, all permit applications should be accompanied by confirmation by a metallurgical engineer or a suitably qualified person, confirming the type, quality and quantity of scrap at hand for export, and information as to when and where such scrap metal may be inspected by prospective buyers.

This policy will be in place for five years. At the end of this period, it will be reviewed to determine whether it should be terminated or extended for a limited period, with or without amendment.

Should this directive be found to be in conflict with any provision of a trade agreement which is binding on South Africa, ITAC should apply it in a manner which ensures compliance with such agreement.

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