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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 1259

27 SEPTEMBER 2019

**AGRICULTURAL PRODUCT STANDARDS ACT, 1990
(ACT No. 119 OF 1990)****REGULATIONS REGARDING DEPARTMENTAL FEES**

The Minister of Agriculture, Land Reform and Rural Development has, under section 15 of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990) -

- (a) made the regulations in the Schedule; and
- (b) determined that the said regulations shall come into operation on the date of publication.

SCHEDULE**Definitions**

1. In these Regulations any word or expression to which a meaning has been assigned in the Act, shall have that meaning, and –

“**assignee**” means a person, undertaking body, institution, association or board designated as such under section 2(3) of the Act;

“**Departmental laboratory**” means an official laboratory of the Department that uses recognised methods of analysis to establish compliance of products;

“**Department**” means the Department of Agriculture, Forestry and Fisheries;

“**Executive Officer**” means the officer designated under section 2(1) of the Act; and

“**the Act**” means the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990).

Analysis, inspections and audits (local and import)

2. (1) In the case where an inspection performed in terms of section 3(1) of the Act also requires for samples of a product to be submitted for analysis to a Departmental laboratory, the owner of such product shall be responsible for –

- (a) the courier (transport) fees when samples are dispatched to the Departmental laboratory concerned; and
- (b) analysis fees specified in column 2 opposite the function concerned in column 1 of Table 1.

(2) In the case where the inspection was performed by an assignee the fees referred to in sub-regulation (1)(b) above shall be payable to the relevant assignee who will then be responsible for payment of the prescribed fees to the Department.

(3) In the case where an inspection and/or an audit was performed by the Department, the fees in column 2 opposite the function concerned in column 1 of Table 1 shall be payable to the Department.

Analysis (export)

3. (1) In the case where an inspection by an assignee performed in terms of sections 4(4) of the Act also requires for samples of a product to be submitted for analysis to a Departmental laboratory, the owner of such product shall be responsible for –

- (a) the courier (transport) fees when samples are dispatched to the Departmental laboratory concerned; and

- (b) analysis fees specified in column 2 opposite the function concerned in column 1 of Table 2.

(2) The fees referred to in sub-regulation (1)(b) above shall be payable to the relevant assignee who will then be responsible for payment of the prescribed fees to the Department.

Colour charts (local, import and export)

4. (1) Colour charts prescribed in the local regulations or export standards and requirements for the products concerned may be obtained from the office of the Executive Officer.

(2) The amount specified in column 2 of Table 3 for the colour chart size concerned shall be payable in respect of each chart.

Appeals (local, import and export)

5. (1) An appeal referred to in Section 10 of the Act may be lodged in the manner prescribed in the regulations regarding appeal procedures as published in the Government Gazette.

(2) The amount specified in column 2 of Table 4 or Table 5, as the case may be, opposite the function concerned shall be payable in respect of each appeal lodged.

Payment of prescribed fees

6. (1) Any amount which is payable in terms of regulation 4(2) above shall be paid in advance and proof of such payment shall accompany the request before the colour charts will be handed over or dispatched: Provided that any additional costs incurred with the dispatching of the purchased colour charts shall be for the account of the buyer.

(2) Any amount which is payable in terms of regulation 5(2) above shall be paid within the period specified in the regulations for appeal procedures as published in the Government Gazette.

(3) Analysis, colour chart and appeal fees shall be paid directly by –

- (a) electronic funds transfer (EFT) to the bank account of the Department; or
- (b) cash deposit into the Department's bank account.

TABLE 1
ANALYSIS, INSPECTION AND AUDIT FEES (LOCAL AND IMPORT)
[Reg. 2]

Function 1	Fees payable 2
Quality control analyses:	
Determination of:	
(a) Moisture in dried fruits	R257,00 per sample
(b) Total solids in bread	R20,00 per sample
(c) Total acidity and Brix in fruit juices	R148,00 per sample
(d) % ash in honey	R50,00 per sample
(e) Lund in honey	R77,00 per sample
(f) Moisture in honey	R66,00 per sample
(g) HMF (hydroxy-methylfurfural) in honey	R108,00 per sample
(h) Total acidity in honey	R239,00 per sample
(i) Free acid in honey	R150,00 per sample
(j) Specific rotation in honey	R161,00 per sample
(k) % acetic acid in vinegar	R349,00 per sample
(l) Oxidation value in vinegar	R524,00 per sample
(m) Sulphurdioxide in dried fruits	R132,00 per sample
(n) Fat in food dressing and separable	R298,00 per sample
(o) Fat in milk	R228,00 per sample
(p) Fat in cheese and processed cheese	R337,00 per sample
(q) Fat in dried milk	R208,00 per sample
(r) Salt in butter	R91,00 per sample
(s) Fat in cream	R212,00 per sample
(t) Fat in skimmed milk, whey and buttermilk	R236,00 per sample
(u) Fat in evaporated milk and sweetened condensed milk	R206,00 per sample
(v) Fat in butter-oil	R98,00 per sample
(w) Moisture in butter	R80,00 per sample
(x) Fat in butter	R136,00 per sample
(y) Total solids in cheese and processed cheese	R215,00 per sample
(z) Total solids in milk, cream and evaporated milk	R93,00 per sample

Function 1		Fees payable 2
(aa)	Total solids in yoghurt	R97,00 per sample
(ab)	Total solids in sweetened condensed milk	R113,00 per sample
(ac)	Water in dried milk and dried cream	R73,00 per sample
(ad)	Fat in milk-based edible ices and ice mixes	R205,00 per sample
(ae)	Total solids in ice-cream and milk ice	R113,00 per sample
(af)	Starch in milk powder and compound feeding stuffs	R54,00 per sample
(ag)	Added water, protein and lactose in dairy products using a Lactoscan	R72,00 per sample
(ah)	pH in liquid milk	R41,00 per sample

TABLE 2

ANALYSIS FEES (EXPORT)
[Reg. 3]

Laboratory analysis 1	Fees payable 2
Qualitative microbiological analyses	
(a) E. Coli	R148,00 per sample
(b) Salmonella	R148,00 per sample
(c) Total Bacterial Count	R148,00 per sample
Pesticide residue testing	R677,00 per sample

TABLE 3

FEES FOR COLOUR CHARTS (LOCAL, IMPORT AND EXPORT)
[Reg. 4]

Function 1	Fees payable 2
Illustrated colour charts	
	(a) R42,00 per A2 chart
	(b) R30,00 per A3 chart
	(c) R24,00 per A4 chart
	(d) R14,00 per A5 chart

TABLE 4

LOCAL AND IMPORT APPEAL FEES
[Reg. 5]

Function 1	Fees payable per appeal 2
(a) Apples	R2 354,00
(b) Apricots	
(c) Avocados	

	Function 1	Fees payable per appeal 2
(d)	Bananas	
(e)	Canned fruit	
(f)	Canned mushrooms	
(g)	Canned pasta	
(h)	Canned vegetables	
(i)	Canola	
(j)	Carcasses: cattle, calves, sheep, lambs, goats, kids and pigs	
(k)	Citrus fruit	
(l)	Dairy products and imitation dairy products	
(m)	Dehydrated vegetables	
(n)	Dried fruit	
(o)	Dry beans	
(p)	Edible lices	
(q)	Eggs	
(r)	Fat spreads	
(s)	Fresh fruit	
(t)	Frozen fruit and vegetables	
(u)	Fruit juice and drink	
(v)	Garlic	
(w)	Grapes	
(x)	Groundnuts	
(y)	Honey	
(z)	Jam, jelly and marmalade	
(aa)	Litchis	
(ab)	Maize	
(ac)	Maize products	
(ad)	Malting barley	
(ae)	Mayonnaise and salad dressings	
(af)	Mohair	
(ag)	Onions	
(ah)	Peaches and nectarines	
(ai)	Pears	
(aj)	Pineapples	
(ak)	Plums and prunes	
(al)	Popcorn	
(am)	Potatoes	
(an)	Poultry meat	
(ao)	Pulses	
(ap)	Rice	
(aq)	Rooibos	
(ar)	Sorghum	
(as)	Soya beans	
(at)	Sunflower	
(au)	Table olives	
(av)	Tomatoes	
(aw)	Vegetables, excluding tomatoes, onions and garlic	
(ax)	Vinegar	
(ay)	Wheat	
(az)	Wheat products	
	Any other decision or direction	R2 354,00

TABLE 5
EXPORT APPEAL FEES
[Reg. 5]

Function		Fees payable
1		2
(a) Apples		R2 354,00 per consignment
(b) Apricots		
(c) Avocados		
(d) Buckweat		
(e) Canned fruit		
(f) Canned mushrooms		
(g) Canned pasta		
(h) Canned vegetables		
(i) Cherries		
(j) Citrus fruit		
(k) Dairy products		
(l) Dried fruit		
(m) Dry beans		
(n) Eggs		
(o) Feed products		
(p) Fresh cut flowers and ornamental foliage		
(q) Frozen fruit and vegetables		
(r) Fruit, excluding citrus fruit and certain deciduous fruit		
(s) Granadillas		
(t) Grass seed		
(u) Groundnuts		
(v) Honeybush		
(w) Jam, jelly and marmalade		
(x) Kernels: apricot and peach		
(y) Kiwi fruit		
(z) Leguminous seeds		
(aa) Lesser known types of maize		
(ab) Litchis		
(ac) Maize		
(ad) Maize products		
(ae) Mangoes		
(af) Melons and watermelons		
(ag) Oilseeds		
(ah) Onions		
(ai) Peaches and nectarines		
(aj) Pears		
(ak) Pecan nuts: in shell		
(al) Pineapples		
(am) Plums and prunes		
(an) Potatoes		
(ao) Poultry meat		
(ap) Rooibos		
(aq) Sorghum		
(ar) Soya beans		
(as) Strawberries		
(at) Table grapes		
(au) Tobacco		
(av) Vegetables, excluding potatoes and onions		
(aw) Wheat		
Any other decision or direction		R2 354,00 per appeal

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 1260

27 SEPTEMBER 2019

AGRICULTURAL PRODUCT STANDARDS ACT, 1990
(ACT No. 119 OF 1990)

REGULATIONS REGARDING APPEAL PROCEDURES

The Minister of Agriculture, Land Reform and Rural Development has, under section 15 of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990) -

- (a) made the regulations in the Schedule;
- (b) determined that the said regulations shall come into operation on the date of publication; and
- (c) repealed the regulations published by Government Notice Nos. R. 1979 of 23 August 1991 and R. 1980 of 23 August 1991, as well as the amendments thereto published by Government Notices Nos. R. 773 of 7 May 1993, R. 1834 of 1 October 1993, R. 1835 of 1 October 1993, R. 684 of 15 April 1994, R. 1216 of 26 July 1996 (as corrected by Government Notice No. R. 2014 of 6 December 1996), R. 1217 of 26 July 1996, R. 30 of 9 January 1998, R. 20 of 8 January 1999, R. 21 of 8 January 1999, R. 701 of 4 June 1999, R. 702 of 4 June 1999, R. 798 of 11 August 2000, R. 799 of 11 August 2000, R. 542 of 15 June 2001, R. 543 of 15 June 2001, R. 686 of 17 May 2002 (as corrected by Government Notice No. R. 1095 of 30 August 2002), R. 701 of 17 May 2002, (as corrected by Government Notice No. R. 1095 of 30 August 2002), R. 563 of 25 April 2003, R. 564 of 25 April 2003, R. 245 of 27 February 2004, R. 246 of 27 February 2004 (as corrected by Government Notice No. R. 487 of 16 April 2004), R. 204 of 18 March 2005, R. 211 of 18 March 2005, R. 271 of 31 March 2006, R. 272 of 31 March 2006 (as corrected by Government Notice No. R. 424 of 12 May 2006), R. 163 of 2 March 2007, R. 164 of 2 March 2007, R. 168 of 15 February 2008, R. 169 of 15 February 2008, R. 259 of 13 March 2009, R. 260 of 13 March 2009, R. 154 of 5 March 2010, R. 155 of 5 March 2010, R. 448 of 27 May 2011, R. 449 of 27 May 2011, R. 324 of 26 April 2012, R. 325 of 26 April 2012, R. 199 of 22 March 2013, R. 200 of 22 March 2013, R. 130 of 28 February 2014, R. 131 of 28 February 2014, R. 123 of 27 February 2015, R. 124 of 27 February 2015, R. 441 of 15 April 2016, R. 442 of 15 April 2016, R. 257 of 24 March 2017, R. 258 of 24 March 2017, R. 204 of 9 March 2018, R. 205 of 9 March 2018, R. 277 of 1 March 2019 and R. 278 of 1 March 2019 with effect from the said date of commencement.

SCHEDULE

Definitions

1. In these Regulations any word or expression to which a meaning has been assigned in the Act, shall have that meaning, and –

"**accredited laboratory**" means a laboratory that is fit for purpose and nominated by the Executive Officer in writing for the purpose of testing compliance of products;

"**appeal**" means an action taken to review a decision or direction of the Executive Officer or an assignee affecting any persons' interest;

"**appellant**" means any person who lodges an appeal to the Director-General against a decision or direction of the Executive Officer or an assignee;

"**assignee**" means a person, undertaking body, institution, association or board designated as such under section 2(3) of the Act;

"**Department**" means the Department of Agriculture, Forestry and Fisheries;

"**direction**" means an official written notice issued to the owner or "the principal" referred to under section 14 of the Act, for a product by an inspector in terms of section 3A(1)(b) of the Act for any non-

compliances found during inspection, requiring that the product's owners rectify any non-conformances;

"Director-General" means the Director-General: Agriculture, Forestry and Fisheries;

"Executive Officer" means the officer designated under section 2(1) of the Act;

"inspector" means an officer under the control of the Executive Officer, or an assignee or an employee of an assignee; and

"the Act" means the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990).

Lodging of an appeal

2. (1) Any person may lodge an appeal against a decision or direction of the Executive Officer or an assignee in terms of section 10 of the Act, to the Director-General.

(2) An appeal referred to in sub-regulation (1) shall --

(a) be submitted in the format set out in Annexure A, specifying, --

(i) details about the appellant (i.e. name, address, contact details);

(ii) details about the product and consignment concerned (where applicable);

(iii) the decision or direction which is being appealed against;

(iv) the grounds on which the appeal is based; and

(v) any other pertinent information which may assist the appeal board in their decision;

(b) be lodged to the office of the Director-General and/or the Executive Officer;

(c) after obtaining the relevant banking details from the Executive Officer, be accompanied by proof that the prescribed appeal fee has been paid; and

(d) be lodged to reach the office of the Director-General and/or the Executive Officer within the period specified in sub-regulation (3).

(3) The appeal procedure shall be subject to the following prescribed periods, unless otherwise agreed upon:

	Prescribed periods (weekends and public holidays excluded):
Any decision or direction related to products presented for export	24 hours
Any other decision or direction	10 days

(4) An appellant shall forfeit his/her right to lodge an appeal if the written notice of appeal has not been submitted within the period specified in sub-regulation (3) above, and proof that the prescribed fee has been paid did not accompany the appeal application.

(5) An appellant shall allow an inspector to apply any mark or marks which he/she may deem necessary for identification purposes to the products in respect of which an appeal has been lodged, or to the containers thereof, and such product shall not without his/her consent, be removed from the place where they were inspected or where they are stored.

Payment of appeal fees

3. (1) An appellant shall pay the applicable prescribed appeal fee concerned as published in the Government Gazette.

- (2) The prescribed fee shall be paid –
 - (a) either at any office of the Department or at the office of the Executive Officer; or
 - (b) by electronic funds transfer (EFT) to the Department's bank account.

Appointment of an appeal board

- 4. (1) The Director-General shall –
 - (a) constitute an appeal board to assist in dispensing or adjudicating the appeal lodged;
 - (b) designate at least three persons to serve as an appeal board; and
 - (c) designate one of the members as chairperson of the appeal board.
- (2) Appeal board members shall –
 - (a) not have any direct or indirect personal interest in the outcome of the appeal;
 - (b) where the situation so dictates, possess the necessary technical knowledge, skills and experience regarding the appeal concerned;
 - (c) be familiar with the applicable local regulations or export standards and requirements; and
 - (d) have the capability to investigate matters related to the appeal.

Proceedings on appeals

- 5. (1) An appeal board shall –
 - (a) notify the appellant concerned at least 24 hours in advance of the date, venue and time when the board of appeal will convene;
 - (b) allow the appellant to present his/her case to the appeal board by prior arrangement; and
 - (c) where applicable, notify the warehouse/packhouse/cold store of the date, venue and time of the appeal and arrange for the product concerned to be available as well as for labour if necessary.
- (2) An appeal board may (where applicable) –
 - (a) draw in the presence of the appellant a sample of the product to which the appeal concerned relates, in accordance with the relevant methods and procedures;
 - (b) direct the appellant concerned to render all reasonable assistance required by the appeal board in order to draw and inspect a sample referred to in paragraph (a) above: Provided that the appellant may not influence any member of the appeal board;
 - (c) examine, analyse or submit for analysis, grade or classify such sample or the product concerned in accordance with the prescribed methods and procedures: Provided that if the accredited laboratory used for analysis is the same laboratory that did the original analysis, written approval must be given by the appellant to use the same accredited laboratory;
 - (d) hear and question the appellant and inspector concerned and any other person present at such proceedings, and such appellant may be assisted or represented by another person;

- (e) request that the appellant sign a declaration (see example attached as Annexure B) before the board of appeal that he/she will be responsible for the payment of the courier and analysis costs; and
 - (f) after inquiry and consideration of an appeal, confirm or set aside or alter the decision or action which has been appealed against, or issue such order in connection therewith as it may deem necessary.
- (3) Once all interested parties have been heard, an appeal board shall instruct all persons to leave the place where the appeal is being held.
- (4) An appeal board may decide on an appeal under the following conditions:
- (a) All the members of the appeal board in question shall constitute a quorum for a meeting of that appeal board.
 - (b) The decision of the majority of the members of the appeal board shall be the decision of that appeal board.
 - (c) The chairperson of the appeal board shall, in the case of an equality of votes, have a casting vote in addition to his or her deliberative vote.
- (5) An appeal board may upon hearing all representations --
- (a) confirm, set aside or amend the decision or direction concerned; and/or
 - (b) issue any order in connection with the decision or direction as deem fit.
- (6) If an appeal board sets aside or amends a decision or direction, or issues an order in connection therewith, it shall be implemented by the Executive Officer or an officer under his control, or an assignee or an employee of an assignee.
- (7) The chairperson of the appeal board shall notify the Director-General via the office of the Executive Officer, the appellant and assignee (where applicable) in writing and with reasons of the final decision of the appeal board, and this notification shall be in the format and with the required information attached as Annexure C.
- (8) An appeal board shall decide on an appeal within the period specified below, unless otherwise arranged and agreed with the appellant in writing, and its decision shall be final:

Period within which an appeal board shall decide on an appeal after been lodged, weekends and public holidays excluded:	
For all imported and locally manufactured or packed products	(i) 21 days in the case of perishable products. (ii) 30 days in the case of non-perishable products.
For all products presented for export	48 hours
For any other decision or direction	21 days

(9) The appeal board shall ensure that the proceedings of an appeal are conducted in a professional and confidential manner, with due diligence: Provided that the appellant and/or board may require of the appeal board members to sign a confidentiality declaration form.

ANNEXURE A

**NOTICE OF APPEAL IN TERMS OF SECTION 10 OF THE AGRICULTURAL PRODUCT
STANDARDS ACT, 1990 (ACT NO. 119 OF 1990)
[Reg. 2(2)]**

1. Name of Appellant:	2. Physical address of Appellant:
3. Telephone or Cell phone number:	4. E-mail address:
5. Product type and description (cultivar, style, grade/ class, etc.): Please also tick \surd : Destined for Export <input type="checkbox"/> Imported Products <input type="checkbox"/> Local Products <input type="checkbox"/>	6. Number of containers/ packages:
7. Point of inspection:	8. Date of inspection:
9. Name of assignee or other authority responsible:	10. Name of inspector:
11. Decision or direction being appealed against:	
12. Grounds for appeal:	
13. Any other remarks or comments:	
14. Applicable appeal fees has been paid and proof of payment is attached (please tick \surd): YES <input type="checkbox"/> NO <input type="checkbox"/> (Relevant banking details obtainable from Executive Officer)	
Signature of Appellant	Date

(Electronic version of this Annexure is available from the office of the Executive Officer)

ANNEXURE B**EXAMPLE OF A DECLARATION TO BE COMPLETED IN CASE OF APPEALS
[Reg. 5(2)(e)]**

Appeal (1) _____

I, (2) _____

Id No. _____ hereby declare that:

- (a) I am aware that the analysis of the samples by the (3) _____
 _____ laboratory is part of my
 obligation to discharge myself of my onus of proof in this appeal;
- (b) I undertake to bear all costs incidental to and connected with such analysis; and
- (c) I indemnify the Department of Agriculture, Forestry and Fisheries and the Directorate:
 Food Safety and Quality Assurance, their employees and appointed assignees of any
 costs in this respect.

SIGNATURE OF APPELLANT

DATE

WITNESS

DATE

EXPLANATORY NOTES:

- (1) Complete description of appeal
 (2) Full names of appellant
 (3) Name of laboratory

(Electronic version of this Annexure is available from the office of the Executive Officer)

ANNEXURE C

FINAL DECISION OF THE APPEAL BOARD REGARDING THE APPEAL LODGED BY (Name of Appellant) IN TERMS OF SECTION 10 OF THE AGRICULTURAL PRODUCTS STANDARDS ACT, 1990 (ACT NO. 119 OF 1990) [Reg. 5(7)]

1. MEMBERS OF THE APPEAL BOARD

An appeal board was constituted in terms of Section 10(3) of the APS Act, and the following persons were appointed by the Director-General to serve as members of the board:

Duty on board	Name	Company and job title
Chairperson		
Member		
Member		
Member		

2. BACKGROUND

The following information shall at least be included:

- 2.1 Details about the nature of the appeal, when the appeal was lodged, etc.
- 2.2 Details about the appellant.

3. FINDINGS BY THE APPEAL BOARD

The following information shall at least be included

- 3.1 Details about the date, time and venue where the appeal board met.
- 3.2 Confirmation that the appellant were informed when, where and at what time he/she could come and present his/her case to the board (if so preferred).
- 3.3 Details about the basis on which the appeal was considered.
- 3.4 Final decision and reason(s) for final decision.
- 3.5 Did the majority of the members agree with the decision? YES / NO

4. RECOMMENDATION(S) TO THE DIRECTOR-GENERAL

.....
Chairperson:

.....
Date

.....
(member of appeal board)

.....
Date

.....
(member of appeal board)

.....
Date

.....
(member of appeal board)

.....
Date

(Electronic version of this Annexure is available from the office of the Executive Officer)

**CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 2 (NO. 2/1/386)**

In terms of section 56 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 2 to the said Act is hereby amended to the extent set out in the Schedule hereto.


DR DAVID MASONDO
DEPUTY MINISTER OF FINANCE

NO. R. 1261

SCHEDULE

By the substitution of the following:

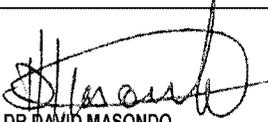
Item	Tariff Heading	Code	CD	Description	Rebate Items	Imported from or Originating in	Rate of Anti-dumping duty
204.05	2004.10.2	03.07	71	Chips or French fries produced by Lutosa	301.00 – 399.00 401.00 – 499.00	Belgium	5,81%
204.05	2004.10.2	04.07	76	Chips or French fries (excluding those produced by Agristo N.V Harelbeke, Clarebout Potatoes N.V, Mydibel Foods S.A and Lutosa)	301.00 – 399.00 401.00 – 499.00	Belgium	30,77%

SOUTH AFRICAN REVENUE SERVICE

27 SEPTEMBER 2019

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 2 (NO. 2/1/386)

Kragtens artikel 56 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 2 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.


DR DAVID MASONDO
ADJUNKMINISTER VAN FINANSIES

NO. R. 1261

26 NO. 42726

GOVERNMENT GAZETTE, 27 SEPTEMBER 2019

SUID-AFRIKAANSE INKOMSTEDIENS

27 SEPTEMBER 2019

BYLAE

Deur die vervanging van die volgende:

Item	Tariefpos	Kode	TS	Beskrywing	Kortingitem	Ingevoer vanaf of Oorspronklik van	Skaal van Anti-dumpingreg
204.05	2004.10.2	03.07	71	Skyfies of diepgebraaide skyfies vervaardig deur Lutosa	301.00 – 399.00 401.00 – 499.00	België	5,81%
204.05	2004.10.2	04.07	76	Skyfies of diepgebraaide skyfies (uitgesonderd dié vervaardig deur Agristo N.V, Harelbeke, Clarebout Potatoes N.V, Mydibel Foods S.A en Lutosa)	301.00 – 399.00 401.00 – 499.00	België	30,77%

DEPARTMENT OF TRANSPORT

NO. R. 1262

27 SEPTEMBER 2019

**CONVENTION ON THE INTERNATIONAL RECOGNITION OF RIGHTS IN
AIRCRAFT ACT, 1993 (ACT No. 59 OF 1993)****FOURTH AMENDMENT OF THE MORTGAGING OF AIRCRAFT REGULATIONS,
2019**

I, Fikile April Mbalula Minister of Transport hereby, in terms section 14 of the Convention on International Recognition of Rights in Aircraft Act, 1993 (Act No. 59 of 1993), make the Regulations set out in the Schedule hereunder.

Mr FA Mbalula, MP
Minister of Transport
Date:

SCHEDULE**CONVENTION ON THE INTERNATIONAL RECOGNITION OF RIGHTS IN
AIRCRAFT ACT, 1993 (ACT No. 59 OF 1993)****FOURTH AMENDMENT OF THE MORTGAGING OF AIRCRAFT REGULATIONS,
2019****GENERAL EXPLANATORY NOTE:**

[] Words in bold type in square brackets indicate omissions from existing regulations.

_____ Words underlined with a solid line indicate insertions in existing regulations.

SCHEDULE**Definition**

1. In this Schedule “the Regulations” means the Mortgaging of Aircraft Regulations, 2019, published by Government Notice No. R. 1739 dated 24 December 1997, as amended.

Substitution of regulation 8 of the Regulations

2. The following regulation is hereby substituted for regulation 8 of the Regulations:

“8. Fees

The following fees shall be payable when application is made for:

(a) the recording of a mortgage in the register of aircraft mortgages	[1731,00] 1 840, 00
(b) a notification of the discharge of a mortgage	[1731,00] 1 840, 00
(c) a transfer of mortgage by deed of cession	[1731,00] 1 840, 00
(d) a declaration of transmission of rights in a mortgage	[1731,00] 1 840, 00
(e) a certificate of mortgage	[1290,00] 1 370, 00
(f) access to the register of aircraft mortgages	[220,00] 230, 00
(g) the furnishing of information from the register of aircraft mortgages, per page	[1,50] 1, 60

MOTIVATION

The Mortgaging of Aircraft Regulations regulates the process of registering, transferring and discharging of mortgages and the fees connected therewith. The Regulations were last amended in 2018 and certain provisions thereof, in particular the fees, have become outdated. The proposal is intended to amend the fees relating to mortgaging by a CPI plus 1 %.