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PROCLAMATIONS • PROKLAMASIES

PROCLAMATION NO. R. 28 OF 2020

BY THE PRESIDENT OF THE REPUBLIC OF
SOUTH AFRICA

APPLICATION OF THE NATIONAL HEALTH LABORATORY SERVICE ACT, 2000
(ACT NO. 37 OF 2000) TO FORENSIC CHEMISTRY LABORATORIES UNDER THE
CONTROL OF THE DEPARTMENT OF HEALTH

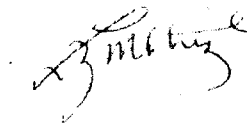
In terms of the Section 29 of the National Health Laboratory Services Act, 2000 (Act No. 37 of 2000) ("the Act"), I hereby, determine 01 September 2020 as the date on which all Sections of the Act and items of the Schedule, shall apply to the Forensic Chemistry Laboratories under the control of the Department of Health.

Given under my Hand and the Seal of the Republic of South Africa at *Johannesburg*, on
this *25* day of *August* Two Thousand and Twenty.

PRESIDENT

By Order of the President-in-Cabinet

MINISTER OF CABINET





PEGO

ka

Mopresidente wa Naga ya Africa Borwa

**MOLAO WA DITIRELO TŠA LAPORATORI YA MAPHELO YA BOSETSHABA, 2000
(MOLAO WA 37 WA 2000): GO ANGWA DILAPOROTARI TŠA KHEMISTERI KA
FASE GA TAOLO YA KGORO YA MAPHELO**

Ka fa se ga seripa sa 29 sa Molao wa Ditirelo tša Laporatori ya tša Maphelo a Bosetshaba, 2000 (Molao wa 37 wa 2000), ke bea 1 Lewedi 2020 go ba letšatši leo Dilaporatori tša khemisteri tša Forensiki di tla angwa ke Molao

Ka tlase ga letsogo la ka le matla a Naga ya Afrika Borwa mo *Johannesburg* ka letšatši la 05. *Photo* ngwaga dikete pedi le masome pedi.

A handwritten signature in black ink, appearing to be Cyril Ramaphosa, written over the text of the document.

MOPRESIDENTE

Ka taolo ya Mopreseidente Kabineteng:

LETONA LA KABINETE

A handwritten signature in black ink, appearing to be the Cabinet Secretary, written over the text of the document.

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

SOUTH AFRICAN REVENUE SERVICE

NO. R. 938

28 AUGUST 2020

GENERAL EXPLANATORY NOTE:

[] Words that are between square brackets and in bold typeface, indicate deletions from the existing rules

_____ Words that are underlined with a solid line, indicate insertions in the existing rules

**CUSTOMS AND EXCISE ACT, 1964
AMENDMENT OF RULES**

Under sections 8, 38, 59A, 60, 64B, 64G, 66, 69, 120A and 120 of the Customs and Excise Act, 1964 (Act No. 91 of 1964), the rules published in Government Notice R.1874 of 8 December 1995, are herewith amended to the extent set out in the Schedule hereto.



EDWARD CHRISTIAN KIESWETTER
COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE

SCHEDULE**Insertion of rule 00.09**

1. Rule 00.09 is hereby inserted after rule 00.08:
“Interpretation of Rules in respect of references to “Kingdom of Swaziland” and “BLNS”
00.09 Any reference to the “Kingdom of Swaziland” and “BLNS” in any provision of the Rules must with effect from 19 April 2018 be read as a reference to the “Kingdom of Eswatini” and “BELN”, respectively.”.

Amendment of rule 8.43

2. Rule 8.43 is hereby amended by the substitution for subrule (1) of the following subrule:

“(1) A transit shed operator must at hourly intervals submit to the Commissioner outturn reports in respect of cargo received at the transit shed for loading on board aircraft **[at hourly intervals]**.”.

Amendment of rule 8.44

3. Rule 8.44 is hereby amended by the substitution for subrule (1) of the following subrule:

“(1) The licensee of a degrouping depot must at hourly intervals submit to the Commissioner outturn reports in respect of cargo received at that degrouping depot for packing or consolidation **[at hourly intervals]**.”.

Amendment of rule 38.03

4. The following rule is hereby substituted for rule 38.03:

“38.03 A person –

(a) importing [Application for release of] any of the goods [enumerated] referred to in subparagraphs (ii), (iii) and (v) of [sub]section 38(1)(a) shall [be made] apply [to the Controller] for the release of such goods on form DA 306[.] ; or

(b) exporting the following shall use form DA 306A for purposes of section 38(3)(a):

(i) human remains;

(ii) goods which in the opinion of the Commissioner are of no commercial value; or

(iii) goods of a value not exceeding R500, and on which no export duty is payable.”.

Amendment of rule 59A.01

5. Rule 59A.01 is hereby amended –

(a) by the deletion in paragraph (a) of the definition of “day”;

- (b) by the deletion of “and” after the definition of “South African Revenue Service taxpayer reference number”;
- (c) by the substitution for the full stop after the definition of “the Act” of the expression “; and”; and
- (d) by the insertion after the definition of “the Act” of the following definition:
“working day” means any day other than a Saturday, Sunday or a public holiday.”

Amendment of rule 59A.05(1)

6. Rule 59A.05(1) is hereby amended by the substitution in paragraph (a)(ii)(bb) for the word “days” of the words “working days”.

Amendment of rule 60.01(1)

7. Rule 60.01(1) is hereby amended –
- (a) by the deletion in paragraph (a) of the definition of “day”;
 - (b) by the deletion of “and” after the definition of “registered agent”;
 - (c) by the substitution for the full stop after the definition of “the Act” of the expression “; and”; and
 - (d) by the insertion after the definition of “the Act” of the following definition:
“working day” means any day other than a Saturday, Sunday or a public holiday.”

Amendment of rule 60.05(2)

8. Rule 60.05(2) is hereby amended by the substitution in paragraph (a)(ii)(cc) for the word “days” of the words “working days”.

Amendment of *pro forma* agreement prescribed in terms of rule 64B.05

9. The *pro forma* agreement between the Clearing Agent and the Commissioner prescribed in terms of rule 64B.05 is hereby amended by the substitution in subparagraph (i) of clause 2(e) for item (cc) of the following item:

“(cc) in the case of distillate fuel on which a refund of fuel levy is granted in terms of item 670.04 of Schedule No. 6, the documents specified in **[Note 6 to item 670.04.03]** Part 3 of Schedule No. 6;”.

Amendment of rule 64G.17

10. The following rule is hereby substituted for rule 64G.17:

“64G.17 Outturn reports

Outturn reports and any other reports **[prescribed for the purpose of the Manifest Acquittal System]** contemplated in the rules for section 8, must be submitted in accordance with the requirements of such rules.”.

Amendment of rule 66.01

11. Rule 66.01 is hereby amended by the substitution for paragraph (d) of the following paragraph:

“(d) goods entered under rebate of duty provided for in items 403.01, 405.01, **[405.02, 405.03/37.05 to 405.03/90.10,]** 405.04, **[405.05/92.00, 405.05/00.00/02.00,]** 405.09, 406.00 to **[408.01, 408.03]** 408.00, 410.03/27.10 to 411.00/85.01, 412.02 to 412.04, 412.06, 412.08 to 412.16, **[412.20]** 412.21, **[to]** 460.06/28.35[, **460.06/38.17]** to **[460.06/38.24, to 460.16/85.00]** 460.18/85.00 and all items of Part 3 of Schedule No. 4.”.

Amendment of rule 69.01

12. Rule 69.01 is hereby amended –

(a) by the substitution in paragraph (a) for subparagraph (i) of the following subparagraph:

“(i) 55 per cent in respect of items **[118.10,]** 118.15[,] and 118.20;”;

(b) by the substitution in paragraph (a) for subparagraph (ii) of the following subparagraph:

“(ii) 20 per cent in respect of item**[s]** 124.05 **[and 124.07];**”.

Amendment of rule 120A.01

13. Rule 120A.01 is hereby amended –

(a) by the substitution in paragraph (a)(ii) for item (bb) of the following item:

“(bb) For the purposes of these rules–

“commercial goods” means goods contemplated in rule 15.01 or any vehicle of which the particulars are not required to be declared on **[form**

DA 331 or] forms TC-01 and TRD1 in accordance with the requirements specified in that rule and those forms;"; and

(b) by the substitution in paragraph (b) for subparagraph (ii) of the following subparagraph:

"(ii) Any goods or any vehicle that is required to be declared on forms [DA 331] TC-01 and TRD1 must be declared only on that form when imported into the Republic from a BLNS country or from outside the common customs area through a BLNS country or exported from the Republic to a BLNS country or through a BLNS country to a destination outside the common customs area."

Amendment of rule 120A.03

14. Rule 120A.03 is hereby amended by the substitution in paragraph (a) for subparagraph (iii) of the following subparagraph:

"(iii) Subject to paragraph (d), any goods or any vehicle that is required to be declared on forms [DA 331] TC-01 and TRD1 must, if imported from or through or exported to or through a BLNS country as contemplated in rule 120A.01(b)(ii), be so imported or exported through a designated commercial port."

Deletion of forms

15. Item 202.00 of the Schedule to the Rules is hereby amended by the deletion of forms DA 30 and DA 31:

"DA 30 Bill of entry - Supplementary clearance
DA 31 Bill of entry - For coastwise removal or removal through contiguous territories of released"

Substitution of form

16. Item 202.00 of the Schedule to the rules is hereby amended by the substitution of form DA 306:

"DA 306 Application for release of goods in terms of section 38(1)(a) of the Customs and Excise Act, Act No. 91 of 1964"

Insertion of form

17. Item 202.00 of the Schedule to the rules is hereby amended by the insertion of form DA 306A:

“DA 306A Export of goods in terms of section 38(3)(a) read with rule 38.03(b) of the Customs and Excise Act, No. 91 of 1964”.



Application for release of goods in terms of section 38(1)(a) of the Customs and Excise Act, Act 91 of 1964		DA 306
Name and address of importer		
Transport document number and date	Ship and Voyage No./Flight No. and date	
Total number of packages	Customs value	Import permit No. and amount
	R	R
Marks, numbers and description of packages and/or container number(s)	Description of goods	
<p>I,.....(importer) or(representative of importer, if applicable) hereby apply for the release of the above-mentioned goods in terms of section 38(1)(a) read with rule 38.03(a) and declare that the particulars herein are true and correct and comply with the provisions of the Customs and Excise Act.</p> <p>.....</p> <p style="text-align: center;">Date Signature</p>		
Instructions by Controller of Customs and Excise	Endorsements	Place of entry
		Number and date

...continues overleaf

Reasons for detention		Date Stamp	
		<p>.....</p> <p>Checking Officer</p>	
Marks on packages	Result of examination		
	<p>.....</p> <p>Date Examining officer</p>		



Export of goods in terms of section 38(3)(a) read with rule 38.03(b) of the Customs and Excise Act No. 91 of 1964		DA 306A	
Name and address of exporter			
Transport document number and date		Total number of packages	
Export permit number, if applicable		Marks, numbers and description of packages and/or container number(s)	
Indicate the type of goods being exported:			
Human remains	<input type="checkbox"/>		
Goods which in the opinion of the Commissioner are of no commercial value	<input type="checkbox"/>	Description	Value
Goods of a value not exceeding R500, and on which no duty is payable	<input type="checkbox"/>	Description	Value
I,.....(exporter) or(representative of exporter, if applicable) hereby enter for export the above-mentioned goods in terms of section 38(3)(a) read with rule 38.03(b) and declare that the particulars herein are true and correct and comply with the provisions of the Customs and Excise Act. 			
Date		Signature	
Instructions by Controller of Customs and Excise	Endorsements		Place of entry
		Number and date	

...continues overleaf

Reasons for detention	Date Stamp
	<p>..... Checking Officer</p>
<p>Marks on packages</p>	<p>Result of examination</p> <p>.....</p> <p>Date</p> <p>.....</p> <p>Examining officer</p>

CORRECTION NOTICE

**CUSTOMS AND EXCISE ACT, 1964
AMENDMENT OF SCHEDULE NO. 2 (2/3/46)**

“

By the substitution of the word “extended” with the word “maintained” where it appears in Notice No. R. 866 of Government Gazette No. 43597 on 7 August 2020, **with retrospective effect from 7 August 2020.**

VERBETERINGSKENNISGEWING

**DOEANE EN AKSYNS WET, 1964
WYSIGING VAN BYLAE NO. 2 (2/3/46)**

Deur die vervanging van die woord “verleng” met die woord “gehandhaaf” waar dit verskyn in Kennisgewing No. R. 866 van Staatskoerant No. 43597 op 7 Augustus 2020, **met terugwerkende krag vanaf 7 Augustus 2020.**