

NOTICE 148 OF 2009**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF
SOUTH AFRICA****GUIDELINES REGARDING APPLICATIONS FOR PERMITS IN TERMS OF
THE PROVISION UNDER REBATE ITEM 311.02/63.09/01.04 OF
SCHEDULE 3 TO THE CUSTOMS AND EXCISE ACT.**

Interested parties are hereby notified that applications for permits for rebate of the full duty on worn clothing and other worn articles of textile material used for the recovery of fibers submitted to the International Trade Administration Commission after the date of publication of this notice:

- (a) will be dealt with according to the guidelines described in this notice; and
- (b) must be in the format as set out in the application from this notice.

Please note that all applications submitted in terms of rebate item 311.02/63.09/01.04 to the International Trade Administration Commission after date of publication thereof will be subject to the guidelines described in this notice

**GUIDELINES REGARDING APPLICATIONS FOR PERMITS IN TERMS
OF THE PROVISION UNDER REBATE ITEM 311.02/63.09/01.04 FOR
REBATE OF THE DUTY ON WORN CLOTHING AND OTHER WORN
ARTICLES OF TEXTILE MATERIALS FOR THE RECOVERY OF
FIBERS.****1. APPLICATION**

Applicants must register with South African Revenue Services (SARS) as users of rebate item 311.02/63.09/01.04 before applying for rebate permits.

Applications for rebate permits must be addressed to the International Trade Administration Commission, Private Bag X 753, Pretoria or delivered by hand to the DTI Campus, (Block E), 77 Meintjies Street, Sunnyside, Pretoria, 0002.

Applications for permits must be submitted according to the requirements reflected in the attached application form. If the space provided in the application form is insufficient, please use the format of the application form to submit the requested information.

If all the information requested in the application form is not submitted, the application is deficient and will not be considered, and it will be returned to the applicant.

At least ten working days must be allowed for the processing of rebate permit applications and the issuing of the rebate permit.

Worn clothing and other worn articles of textile materials are subject to Import Control conditions and a permit will only be issued in instances where a rebate permit has already been obtained.

Each rebate permit defines the period during which the goods must be used for the recovery of fibers. The rebate permit will be valid for twelve months or a shorter period as decided upon by ITAC.

Rebate and Import Control permits may not be transferred in any manner by the holder thereof, to any other person, or be used to the benefit of any person, not named in the permits.

2. CONDITIONS OF PERMITS

2.1 Rebate permits and import control permits issued will be subject to the following conditions:

2.1.1 Movement of clothing and other textile material

There shall be no movement of any clothing or articles of textile materials from the premises, described in the application as the premises where the fibers will be recovered.

Any clothing or articles of textile materials include worn, used, and new clothing and articles of textile materials obtained from sources in South Africa or imported from any country.

2.1.2 Goods suitable for the recovery of fibers

Only worn clothing and other worn articles of textile material of natural fibers (excluding those containing cotton) are regarded as suitable for the recovery of fibers.

Articles of worn clothing allowed to be imported are jerseys, pullovers, scarves and caps of wool, acrylic and other natural fibers (excluding those containing cotton).

2.1.3 Location and requirements of rebate store

The rebate store must be situated on the manufacturers registered factory premises. These premises must be physically separated from premises where any activity other than the recovery of fibers is taking place. The premises must exclusively be used for the recovery of fibers, the storage of clothing and other articles of textile material obtained for the purpose of the recovery of fibers.

All manufacturers under this rebate item must comply with the following rebate store requirements:

- Rebate stores must be substantially constructed and must offer the maximum security possible. The walls must be extended to the ceiling, and suitable steps must be taken to prevent access to the materials over the walls.
- The doors must be lockable and suitably equipped with fastenings for Customs locks.
- The windows, if any, must be fitted with bars.
- Rebate store must have one entry point only.

2.1.4 Notification requirement

Desmond Daniel, Manager: Inspectorate of the Directorate Import and Export Control [Fax number (012) 394 4606 and Telephone no (012) 394 3606], e-mail ddaniel@itac.org.za must be notified in writing by the permit holder at least 10 working days in advance of the date of the arrival of consignments of imported worn clothing and other imported worn articles of textile materials at its premises.

The notification must state:

- Anticipated date or dates of arrival of the goods concerned at the premises.
- The mass and invoice value in Rand of the goods concerned
- A description of the goods reflecting the type of clothing, type of article of textile material and whether the goods are new, used or worn.

The Inspectorate of the Directorate Import and Export Control must be informed in writing by the permit holder of the details of any clothing and any article of textile material obtained in South Africa for the purpose of the recovery of fibers, that are kept on the premises and which are described in the rebate permit or permits issued to the importer. Any clothing or other articles of textile material includes worn, used and new clothing and other articles of textile material.

2.1.5 Documentation Requirement

The following documents must be available on the day of physical inspection:

- SARS release notification
- Copy of the import permit notification
- Copy of the rebate permit.
- Copy of the Bill of Entry
- Copy of invoice as provided by the supplier
- Copy of Bill of Landing

A Rebate register, as required by SARS, must be kept in respect of worn clothing and other worn articles of textile materials cleared under rebate of the duty.

Records must be kept of imported worn clothing and other worn articles of textile material for the recovery of fibers for at least five years. These records must provide a clear documentation trail from the point of order to the actual import of the goods.

Records must be kept of any clothing and any other article of textile materials obtained by the permit holder in South Africa and that enters the premises described in the permit or permits issued to the permit holder.

These records must contain the following:

- The name, postal address, e-mail address and telephone number of the firm or copy of I. D. Document and other contact details of the person from whom the clothing or other articles of textile material was purchased.
- The date of the purchase.
- The mass (kg) and sales value (R) of the clothing or other articles of textile material.
- A description of the clothing and other articles of textile materials purchased, indicating the type of clothing, type of other articles of textile material and whether the goods are new, used or worn.
- The date on which the clothing and the other articles of textile materials entered the premises.

Invoices reflecting the sale of fibers recovered from worn clothing and other worn articles of textile materials obtained in terms of rebate permits must be kept for at least five years. These records must include the date, mass (kg) and sales value of each sale and the name, addresses (postal and street) and telephone number of each purchaser.