

South Africa

International Trade Administration Act, 2002

Export Control Regulations, 2012

Government Notice R92 of 2012

Legislation as at 30 October 2015

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Export Control Regulations, 2012

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South Africa

International Trade Administration Act, 2002

Export Control Regulations, 2012

Government Notice R92 of 2012

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[Amended by Export Control Regulations: Amendment (Government Notice 1043 of 2015) on 30 October 2015]

I, Ebrahim Patel in my capacity as Minister of Economic Development, acting under the powers vested in me by Section 6 of the International Trade Administration Act, (Act 71 of 2002)-

- (I) Hereby prescribe that-
- (a) goods described in Schedules 1, 2 and 3 shall not be exported from the Republic of South Africa except by virtue of an export permit issued in terms of Section 6 of the said International Trade Administration Act, 2002, and in which such goods are specifically described;
- (II) Notwithstanding the provisions of paragraph (I) (a) above, no export permit shall be necessary for the exportation of the following goods from the Republic of South Africa:
- (a) goods landed for transit through the Republic;
 - (b) goods (excluding motor vehicles) exported as household or personal effects for the personal use by a natural person leaving the Republic permanently;
 - (c) goods (excluding motor vehicles) exported as *bona fide* gifts at own cost by a natural person in the Republic to a designated natural person living outside the common customs area;
 - (d) samples of no commercial value;
 - (e) goods which are imported into the Republic for repair or maintenance and, after such repair or maintenance, exported to the original consignor.
 - (f) vehicles of South Africa origin, vehicles imported as new into South Africa and vehicles legally imported into South Africa against a valid import permit issued in terms of Section 6 of the International Trade Administration Act (71 of 2002) exported to any member of SACU.
- (III) The code letters in column 2 of Schedules 1, 2 and 3 indicate the Government Departments and institutions that act as Controlling Authorities. All applications must be submitted to the various Government Departments and institutions for a recommendation before submitting the application to the International Trade Administration Commission. The code letters and the Government Departments or institutions involved, are as follows:
- A - Department of Agriculture, Forestry and Fisheries.
- I - International Trade Administration Commission of South Africa.
- M - Department of Mineral Resources.
- H - Department of Health.
- E - Department of Energy.
- P - South African Police Service

EA - Department of Environmental Affairs

- (IV) An export permit is, notwithstanding the conditions mentioned in the permit, subject to the following conditions:
 - (a) only goods specified in the permit may be exported;
 - (b) the permit may not in any manner be transferred by the holder thereof to any other person or may not be used to the benefit of anyone not referred to in the permit;
 - (c) the permit shall be valid for a maximum period of six months from the date of issue or for such shorter period as indicated on the permit.
- (V) Nothing contained in this notice shall absolve an exporter from the obligation of also complying with the provisions of other legislation relating to the exportation of goods from the Republic of South Africa.
- (VI) Hereby withdraw Government Notice R672 of 20 June 2008.
- (VII) Hereby determine that this notice shall come into operation with effect from 1 January 2012
- (VIII) A permit issued in terms of Government Notice R672 and valid before this notice came into operation, must be regarded as a permit issued in terms of this Government Notice.

Schedule 1

Description of goods Column (1)	Code Letter Column (2)	Tariff heading Column (3)
Wattle seed being -		
(a) Acacia meamsii De Willd (formerly known as Acacia mollissima Willd)(commonly known as Black Wattle)	A	1209.99.10
(b) Acacia decurrens (Wendl. Willd)(commonly known as Green Wattle)	A	1209.99.10
(c) Acacia dealbata Link (commonly known as Silver Wattle)	A	1209.99.10
(d) Acacia pycnantha Benth	A	1209.99.10
(e) Acacia syanophylla Lindl	A	1209.99.10
Lithium ore; Sugulite, (also known as lavulite or lazulite): Unworked or simply sawn or roughly shaped	M	2530.90
Lead ores and concentrates	I	2607.00
Tungsten ores and concentrates	I	2611.00
Molybdenum ores and concentrates	I	26.13
Tantalum ores and concentrates	I	2615.90
Petrol, as defined in Additional Note 1(b)	E	2710.12.02

Aviation spirit, as defined in Additional Note 1(d)	E	2710.12.07
Power kerosene, as defined in Additional Note 1(e)	E	2710.12.09
Illuminating kerosene, as defined in Additional Note 1(f) marked	E	2710.12.15
Illuminating kerosene, as defined in Additional Note 1(f) unmarked	E	2710.12.26
Distillate fuel for use in compression ignition internal combustion piston engines (diesel or semi-diesel engines) as defined in Additional Note 1 (g)	E	2710.12.30
Residual fuel oils, as defined in Additional Note 1 (h)	E	2710.12.35
Propane	E	2711.12
Butanes	E	2711.13
Human blood and preparations thereof	H	3002.90.90
Sawn logs of yellowwood (Podocarpus Falcatus, Podocarpus Henkelii, Podocarpus Latifolius): stinkwood (Ocotea Bullata) and Blackwood (Acacia Melanoxylon)	A	4403.99
Sawn yellowwood (Podocarpus Falcatus, Podocarpus Henkelii, Podocarpus Latifolius): stinkwood(Ocotea Bullata) and blackwood(Acacia Melanoxylon)	A	4407.99
Recovered (waste and scrap) of paper or paperboard	I	47.07
"Tigers" eye" including its related varieties and also any articles consisting wholly or partly of tiger's eye or its related varieties	M	7103.10

but excluding properly finished and finally and completely polished cabochons, beads, eggs, spheres, tumbled stones and carvings cut therefrom or otherwise processed or tumbled.		
<p>Definitions:</p> <p>(1) "Cabochon" shall mean a stone of which the top forms-</p> <p>(a) a symmetrically curved convex or concave surface; or</p> <p>(b) flat surface, provided the stone is either round or oval or crescent, heart, cross or tear shaped; the base may be convex, concave or flat.</p> <p>(2) "Bead" shall mean a stone of any shape of a mass not exceeding 50 grammes which has been drilled in such a way that it can be strung in a necklace.</p> <p>(3) "Egg" shall mean a symmetrically egg-shaped stone.</p> <p>(4) "Sphere" shall mean a symmetrically sphere-shaped stone.</p> <p>(5) "Tumbled stone" shall mean an uncut, unsawn stone of irregular shape of a mass not exceeding 50 grammes which has been properly tumbled to such an extent that it has a pebble-like appearance.</p> <p>(6) "Carving" shall mean a cabochon, bead, egg, sphere or tumbled stone as defined in these Regulations which has been artistically carved or sculptured.</p> <p>(7) "Polish" shall mean the process com lapidary trade whereby fine abrasives ar used to smooth a stone to a perfect mirr applying any lacquer or varnish.</p>		
Sugilite (also known as lavulite or lazulite): Unworked or simply sawn or roughly shaped	M	7103.10

Ferrous waste and scrap; Remelting scrap ingots of iron or steel	I	72.04
Refined copper: Wire bars	I	7403.12
Refined copper: Billets	I	7403.13
Refined copper: Other than cathodes and sections of cathodes	I	7403.19
Copper-zinc base alloys (brass)	I	7403.21
Copper-tin base alloys (bronze)	I	7403.22
Copper-nickel base alloys (cupro-nickel) or copper-nickel-zinc base alloys (nickel silver)	I	7403.29
Copper waste and scrap	I	7404.00
Nickel waste and scrap	I	7503.00
Aluminium waste and scrap	I	7602.00
Lead ingots	I	7801.10
Lead waste and scrap	EA	7802.00
Lead plates, sheets, strip and foil; lead powders and flakes	I	78.04
Lead tubes, pipes and tube or pipe fittings (for example, couplings, elbows, sleeves)	I	7805.00
Other articles of lead	I	7806.00
Zinc waste and scrap	I	7902.00
Tin waste and scrap	I	8002.00

Tungsten (Wolfram) and articles thereof, including waste and scrap	I	81.01
Molybdenum and articles thereof, including waste and scrap	I	81.02
Tantalum and articles thereof, including waste and scrap	I	81.03
Magnesium waste and scrap	I	8104.20
Cadmium and articles thereof, including waste and scrap	EA	81.07
Antimony and articles thereof, including waste and scrap	EA	8110.00
Manganese and articles thereof, including waste and scrap	EA	8111.00
Beryllium, chromium, germanium, vanadium, gallium, hafnium, indium, niobium (columbium) and articles of these metals, including waste and scrap (but excluding Rhenium powders and unwrought and waste and scrap of sub-heading 8112.92 and excluding similar products of Thallium of sub-heading 8112.5)	EA	81.12
Motor cars, and other motor vehicles principally designed for the transport of persons and goods but excluding vehicles exported by diplomatic and foreign representatives and new vehicles exported by local manufacturers or their appointed agents (but excluding goods of subheadings 8702.10.10, 8703.10, 8703.21.23, 8703.21.60, 8703.21.70, 8703.31.80, 8704.10.25, 8704.10.90, 8704.21.10, 8704.21.40, 8704.22.10, 8704.22.20, 8704.23.10, 8704.23.20, 8704.31.30, 8704.31.50,	I	87.02 87.03 87.04

8704.32.10, 8704.90.05 and 8704.90.30)		
Waste and scrap of primary cells, primary batteries and electric accumulators, spent primary cells, spent primary batteries and spent electric accumulators	EA	8548.10
<i>[description included by Government Notice 1043 of 2015]</i>		

Schedule 2
Montreal protocol

Description of goods Column (1)	Code letter Column (2)	Tariff number Column (3)
1,1,1- Trichloroethane (methyl chloroform)	EA	2903.19.10
Bromomethane (methyl bromide)	EA	2903.39
Halogenated derivatives of acyclic hydrocarbons containing two or more different hatogens: (excluding other perhalogenated derivatives of subheading No. 2903.78)	EA	2903.7
Chlorodiflouromethane (CFC 22)	EA	2903.71
Dichlorotriflouroethanes	EA	2903.72
Dichloroflouroethanes	EA	2903.73
Chlorodiflouroethanes	EA	2903.74
Didhloropentaflouropropanes	EA	2903.75
Bromochlorodifluoromethane, bromotriflouromethane and dibromotetraflouroethanes	EA	2903.76
Other, perhalogenated only with fluorine and chlorine	EA	2903.77
Trichloroflouromethane	EA	2903.77.05
Dichlorodiflouromethane	EA	2903.77.10
Trichlorotriflouroethanes	EA	2903.77.15

Dichlorotetraflouroethanes and chloropentaflouroethane	EA	2903.77.20
Chlorotriflouromethane	EA	2903.77.25
Pentachloroflouroethane	EA	2903.77.30
Tertrachlorodiflouroethanes	EA	2903.77.35
Heptachloroflouropropanes	EA	2903.77.40
Hexachlorodiflouropropanes	EA	2903.77.45
Pentachlorotriflouropropanes	EA	2903.77.50
Tetrachlorotetraflouropropanes	EA	2903.77.55
Trichloropentaflouropropanes	EA	2903.77.60
Dichlorohexaf1ouropropanes	EA	2903.77.65
Chloroheptaflouropropanes	EA	2903.77.70
Other	EA	2903.77.90
Other	EA	2903.79
Chlorotetraflouroethanes	EA	2903.79.10
Dichlorodiflouroethanes	EA	2903.79.20
Other derivatives of methane, ethane or propane, halogenated only with fluorine and chlorine	EA	2903.79.30
Derivatives of methane, ethane or propane, halogenated only with fluorine and bromide	EA	2903.70.40
Other	EA	2903.79.90

Containing bromomethane (methyl bromide) or bromochloromethane	EA	3808.91.10
Other, containing bromomethane (methyl bromide) or bromochloromethane	EA	3808.92.30
Other, containing bromomethane (methyl bromide) or bromochloromethane	EA	3808.93.81
Other, containing bromomethane (methyl bromide) or bromochloromethane	EA	3808.94.85
Other, containing bromomethane (methyl bromide) or bromochloromethane	EA	3808.99.10
Other containing bromochlorodifluoromethane, bromotrichloromethane or dibromotetrafluoroethanes	EA	3813.00.17
Other, containing methane, ethane or propane hydrobromofluorocarbons (HBFCs)	EA	3813.00.19
Other, containing methane, ethane or propane hydrochlorofluorocarbons (HCFCs)	EA	3813.00.21
Other, containing bromochloromethane	EA	3813.00.23
Containing methane, ethane or propane chlorofluorocarbons (CFCs, whether or not containing hydrochlorofluorocarbons (HCFCs)	EA	3814.00.10
Containing methane, ethane or propane hydrochlorofluorocarbons	EA	3814.00.20

(HCFCs), but not containing chlorofluorocarbons (CFCs)		
Containing carbon tetrachloride, bromochloromethane or 1, 1, 1-trichloroethane (methyl chloroform)	EA	3814.00.30
Containing chlorofluorocarbons (CFCs), whether or not containing hydrochlorofluorocarbons (HCFCs), perfluorocarbons (PFCs) or hydrofluorocarbons (HFCs):	EA	3824.71
Containing bromochlorodifluoromethane, bromotrifluoromethane or dibromotetrafluoroethanes	EA	3824.72
Containing hydrobromofluorocarbons (HBFCs):	EA	3824.73
Containing hydrochlorofluorocarbons (HCFCs), whether or not containing perfluorocarbons (PFCs) or hydrofluorocarbons (HFCs), but not containing chlorofluorocarbons (CFCs):	EA	3824.74
Containing carbon tetrachloride:	EA	3824.75
Containing 1, 1, 1-trichloroethane (methyl chloroform):	EA	3824.76
Containing bromomethane (methyl bromide) or bromochloromethane:	EA	3824.77
Containing perfluorocarbons (PFCs) or hydrofluorocarbons (HFCs), but not containing chlorofluorocarbons (CFCs) or hydrochlorofluorocarbons (HCFCs):	EA	3824.78
Other	EA	3824.79

Schedule 3
1988 United Nations Convention

Description of goods	Column (2)	Tariff Heading Column (3)	Cas Number
Hydrochloric acid	P	2806.10	7647.01.0
Sulphuric acid	P	2807.00	7664.93.9
Potassium	P	2841.61	7722.64.7
Permanganate			
Toluene	P	2902.30	108.88.3
Diethyl Ethyl Ether	P	2909.11	60.29.7
Acetone	P	2914.11	67.64.1
Methyl ethyl Ketone	P	2914.12	78.93.3
1-Phenyl-2-propanone	P	2914.31	103.79.7
Acetic Anhydride	P	2915.24	108.24.7
Phenylacetic acid	P	2616.34	103.82.3
Anthracitic acid	P	2922.43	118.92.3
N-Acetylanthranilic acid	P	2924.23	89.52.1
Isosafrole	P	2932.91	120.58.1
Methylenedioxyphenyl-2-propanone	P	2932.92	4676.39.5
Piperonal	P	2932.93	120.57.0

Safrole	P	2932.94	94.59.7
Piperidine	P	2933.32	110.89.4
Ephredine	P	2939.41	299.42.9
Psuedoephredrine	P	2939.42	90.82.4
Norephedrene	P	2939.49	134.41.6
Ergometrine	P	2939.61	60.79.7
Ergotamine	P	2939.62	113.15.5
Lysergic	P	2939.63	82.58.6

The salt and optical isomers of all substances included in this table, where the existence of such salts is possible, with the exception of the salts of hydrochloric acid and sulphuric acid.