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2013

The closing time is **15:00** sharp on the following days:

- ▶ **14 March**, Thursday, for the issue of Friday **22 March 2013**
- ▶ **20 March**, Wednesday, for the issue of Thursday **28 March 2013**
- ▶ **27 March**, Wednesday, for the issue of Friday **5 April 2013**
- ▶ **25 April**, Thursday, for the issue of Friday **3 May 2013**
- ▶ **13 June**, Thursday, for the issue of Friday **21 June 2013**
- ▶ **1 August**, Thursday, for the issue of Thursday **8 August 2013**
- ▶ **8 August**, Thursday, for the issue of Friday **16 August 2013**
- ▶ **19 September**, Thursday, for the issue of Friday **27 September 2013**
- ▶ **12 December**, Thursday, for the issue of Friday **20 December 2013**
- ▶ **17 December**, Tuesday, for the issue of Friday **27 December 2013**
- ▶ **20 December**, Friday, for the issue of Friday **3 January 2014**

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DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

DEPARTEMENT VAN LANDBOU, BOSBOU EN VISSERYE

No. R. 95

15 February 2013

PLANT IMPROVEMENT ACT, 1976

(ACT No. 53 OF 1976)

REGULATIONS RELATING TO ESTABLISHMENTS, VARIETIES, PLANTS AND PROPAGATING MATERIAL: AMENDMENT

The Minister of Agriculture, Forestry and Fisheries, acting under Section 34 of the Plant Improvement Act, 1976 (Act No. 53 of 1976), has made the following regulations in the Schedule.

SCHEDULE

Definition

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 1064 of 23 May 1980, as amended by Government Notices Nos. R. 1621 of 22 July 1983, R. 2173 of 28 September 1984, R. 1287 of 14 June 1985 (as corrected by Government Notice No. R. 1524 of 12 July 1985), R. 1522 of 12 July 1985, R. 256 of 14 February 1986, R. 1489 of 11 July 1986, R. 1903 of 12 September 1986, R. 1389 of 26 June 1987, R. 1700 of 7 August 1987, R. 86 of 22 January 1988, R. 2496 of 9 December 1988, R. 1518 of 14 July 1989, (as corrected by Government Notice No. R. 1976 of 15 September 1989), R. 2092 of 29 September 1989, R. 76 of 18 January 1991, R. 1638 of 12 July 1991, (as corrected by Government Notice No. R. 1971 of 16 August 1991), R. 2119 of 24 July 1992, R. 2618 of 18 September 1992, R. 891 of 28 May 1993, R. 1590 of 27 August 1993, R. 2057 of 29 October 1993, R. 513 of 18 March 1994, R. 1465 of 26 August 1994, R. 174 of 10 February 1995 (as corrected by Government Notice No. R. 319 of 3 March 1995), R. 1976 of 22 December 1995, R. 1177 of 19 July 1996, R. 97 of 24 January 1997, R. 1011 of 1 August 1997, R. 866 of 3 July 1998 (as corrected by Government Notice No. R. 949 of 24 July 1998), R. 1284 of 16 October 1998, R. 1015 of 27 August 1999, R. 232 of 17 March 2000, R. 919 of 15 September 2000, R. 1207 of 1 December 2000, R. 430 of 25 May 2001, R. 19 of 11 January 2002, R. 547 of 10 May 2002, R. 1 of 3 January 2003, R. 410 of 28 March 2003, R. 577 of 2 May 2003, R. 185 of 11 March 2005, R. 477 of 27 May 2005; R. 849 of 2 September 2005 (as corrected by Government Notice No. R. 928 of 30 September 2005), R. 131 of 17 February 2006, R. 187 of 3 March 2006, R. 770 of 4 August 2006, R. 45 of 26 January 2007, R. 56 of 2 February 2007, R. 521 of 29 June 2007, R. 430 of 11 April 2008, R. 381 of 17 April 2009, R. 99 of 19 February 2010, R. 100 of 19 February 2010, R. 928 of 22 October 2010, R. 161 of 4 March 2011 and R. 86 of 10 February 2012.

Substitution of Table 1 of the Regulations

2. The table in Annexure A is hereby substituting Table 1 of the Regulations:

ANNEXURE A

**“TABLE 1
FEES PAYABLE FROM 1 APRIL 2013**

No.	Particulars of service	Purpose	Tariff
1.	Issuing of export certificate under section 27	a) Application for a certificate [Reg. 45A(2)(a)]	R 65,00 per certificate
		b) Inspection and sampling of plant and propagating material [Reg. 45(3)]	R 170,00 per half hour (R 340,00 per hour)
		c) Purity analysis	R 120,00 each
		d) Germination or viability test	R 560,00 each
2.	Registration of premises under section 7	a) Application for registration of premises in respect of a business [Reg. 2(2)(b)]	R 260,00 for one type of business plus R 130,00 for each additional type of business
		b) Application for renewal of registration of premises in respect of a business [Reg. 3(2)]	R 260,00 for one type of business plus R 130,00 for each additional type of business
		c) Conduction of examination for a seed analyst to act as responsible officer of a seed testing laboratory [Reg. 8A(6)(i)]	R 280,00 per person per day
3.	Variety listing (recognition of a variety)	a) Application fee in respect of the recognition of a variety [Reg. 16(b)]	R 1 000,00 each
		b) Investigation fee for variety list placement: [Reg. 17(1)] Category A (agronomic, vegetable and pasture crops and sweet corn) Category B (white and yellow maize) Category C (fruit, vines and citrus)	R 1 200,00 each R 1 400,00 each R 2 300,00 each
		c) Application for the alteration or supplementation of the denomination of a variety [Reg. 20A]	R 1 800,00 each

No.	Particulars of service	Purpose	Tariff
4.	General	a) Perusal of a document [Reg. 52(1)]	R400,00 per occasion
		b) Application for a copy of a document [Reg. 52(3)]	R 35,00 plus R 0,60 per A4 copy plus postage (where applicable) plus R 15,00 per hour labour cost. The first hour is free of charge as it is included in the R 35,00
		c) Lodgement of appeal against a decision of or steps taken by the Registrar [Reg. 53(1)(d)]	R4 220,00 each
No.	Particulars of service		Tariff
5.	Tariffs not provided for by legislation:		
5.1	Unjustified complaints concerning plants or propagation material		
	(a) inspection, sampling and sealing		R 170,00 per half hour (R 340,00 per hour)
	(b) Purity analysis (grasses excluded)		R 120,00 each
	(c) Purity analyses on grasses (excluding where degluming or the blowing method is required)		R 280,00 each
	(d) Purity analysis on grasses that require degluming		R 415,00 each
	(e) Purity analysis on grasses that require the uniform blowing method		R 360,00 each
	(f) Germination test		R 560,00 each
	(g) Weighed replicate germination test		R 660,00 each
	(h) Tetrazolium test		R 680,00 each
5.2	Seed analyses and seed technological examinations		
	(a) Purity analysis (grasses excluded)		R 120,00 each
	(b) Purity analyses on grasses (excluding where degluming or the blowing method is required)		R 280,00 each
	(c) Purity analysis on grasses that require degluming		R 415,00 each
	(d) Purity analysis on grasses that require the uniform blowing method		R 360,00 each
	(e) Germination test / Ontkiemingstoets		R 560,00 each
	(f) Weighed replicate germination test		R 660,00 each
	(g) Other seed determination		R370,00 each
	(h) Alkaloid test		R 95,00 each

No.	Particulars of service	Tariff
	(i) Moisture determination	R 185,00 each
	(j) Tetrazolium test	R 680,00 each
	(k) Preference testing for (a) to (j) above	Double tariff
	(l) Seed identification	R 135,00 per hour
	(m) Seed quality investigation	R 280,00 per hour
	(n) Annual courses presented in seed testing methods and techniques for a trainee seed analyst	R 1 880,00 per person
	(o) Specialist workshop presented in seed testing methods and techniques for a qualified seed analyst	R 500,00 per person per day
5.3	International certificates	
	(a) Issuing of seed quality certificates	R 125,00 per certificate
	(b) Sampling and sealing of containers	R 170,00 per half hour (R 340,00 per hour)
	(c) Seals for sealing containers	R 0,15 per seal
5.4	Seals for sealing containers of seed for which an export certificate has been issued under section 27 of the Plant Improvement Act, 1976 (act no 53 of 1976)	R 0,15 per seal
5.5	Application for the issue of an authorisation to import unlisted varieties	R 80,00 per authorisation for a maximum of 10 varieties
5.6	Examination of samples to determine conformity with variety descriptions	R 1 200,00 (Cat. A) R 1 400,00 (Cat. B) R 2 300,00 (Cat. C)

**MARINE LIVING RESOURCES ACT, 1998 (ACT 18 OF 1998): REGULATIONS FOR FISHING FOR
ELASMOBRANCHS (SHARKS) IN THE ESTUARY OF THE BREEDE RIVER**

The Minister of Agriculture, Forestry and Fisheries, Tina Joemat Pettersson hereby publishes emergency regulations for fishing in the estuary of the Breede River in terms of subsections 2(e) and 2(n) of section 77 of the Marine Living Resources Act, 1998 (Act 18 of 1998), as set out in the schedule hereto.

SCHEDULE

Definitions

1. In these Regulations, unless the context indicates otherwise, a word or an expression to which a meaning has been assigned in the Act and the Regulations in terms of the Marine Living Resources Act, 1998 (Act 18 of 1998) published in *Gazette* No. 19205 in Notice Nr. R. 1111 of 2 September 1998, has the same meaning, and

“the Act” means the Marine Living Resources Act, 1998 (Act 18 of 1998);

“the Estuary” means the estuary of the Breede River which is the tidal portion of the Breede River that lies between the longitudes E20°31'000 and E20° 51'.000 as the western and eastern boundaries respectively.

“gear” means, in relation to fishing, any equipment, implement or other object that can be used in fishing, including any net, rope, line, float, trap, hook, winch, aircraft, boat or craft carried on board a vessel, aircraft or other craft;

Objective of the Regulations

2. The objectives of these Regulations are to provide further protection for shark species in the Breede Estuary.

Prohibition of fishing and gear

3. (1) No person shall, with the exception of a permit for scientific research, catch, or attempt to catch, any Elasmobranchs (sharks) in the Breede Estuary.
3. (2) All incidental catches of Elasmobranchs are to be released to the water alive.

Penalties and offences

4. Any person who fails to comply with 3. (1), shall be guilty of an offence and liable on conviction to a fine not exceeding R500 000 or to imprisonment for a period not exceeding two years.

**DEPARTMENT OF ECONOMIC DEVELOPMENT
DEPARTEMENT VAN EKONOMIESE ONTWIKKELING**

No. R. 96

15 February 2013

International Trade Administration Commission of South Africa

Automotive Production and Development Programme (APDP) Regulations

I, Ebrahim Patel, in my capacity as Minister of Economic Development, acting under the powers vested in me by Section 59 of the International Trade Administration Act, 2002 (Act 71 of 2002), hereby prescribe and make the following regulations—

**AUTOMOTIVE PRODUCTION AND DEVELOPMENT PROGRAMME (APDP)
REGULATIONS**

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Part A – Definitions

1. Definitions

"Automotive tooling" means -

- (i) dies for drawing or extruding metal, of subheading 8207.20;
- (ii) tools for pressing, stamping or punching, of subheading 8207.30;
- (iii) work holders of subheading 8466.20;
- (iv) assembly jigs and assembly lines, of subheading 8479.89; and
- (v) injection moulds, moulding patterns and moulds of heading 84.80, where the principle use is for the manufacture of specified motor vehicles, heavy vehicles as defined in note 1 to rebate item 317.07 and automotive components for such motor vehicles;

"APDP" means the Automotive Production and Development Programme;

“APDP Info Docs” refers to those documents that provide additional information and set forth additional rules and conditions for the APDP, and may refer to either Info Doc A, Info Doc B and/or Info Doc C, depending on the context;

“component” means a new article manufactured in SACU which can be identified as being suitable for use in the manufacture of:

- (i) Specified motor vehicles manufactured under Rebate Item 317.03 of Schedule No. 3 to the Customs Act;
- (ii) Specified motor vehicles manufactured abroad;
- (iii) Medium and heavy motor vehicles manufactured under rebate item 317.07 of Schedule No. 3 to the Customs Act; and
- (iv) Medium and heavy motor vehicles manufactured abroad;

“consumables” mean those goods which are used in the manufacture of motor vehicles and components thereof, but do not form part of such motor vehicles or components;

“CSP” means the company specific percentage;

“Customs Act” means the Customs and Excise Act, 1964 (Act No. 91 of 1964);

“EDD” means the Economic Development Department of South Africa;

“eligible products” mean those specified motor vehicles and/or components and tooling adhering to the qualifying criteria set out in section 9 hereof;

“EPC” means the eligible production certificate envisaged in terms of Section 9 hereof;

“final manufacturer” means the following entities based in South Africa:

- (i) Registered light motor vehicle manufacturers, manufacturing specified motor vehicles in South Africa adhering to the qualifying criteria as set out under section 9, according to the extent of assembly provided for in Note 5 to Chapter 98 of Part 1 of Schedule No.1 to the Customs Act;
- (ii) Component manufacturers manufacturing components adhering to the qualifying criteria as set out under section 9;
- (iii) Automotive tooling manufacturers; and
- (iv) Registered light motor vehicle manufacturers recovering the cost of:

- platinum group metals which were free-issued to a final manufacturer of a catalytic converter and other costs relating to the manufacture thereof; and
- value adding activities applicable to products bought from a component manufacturer, noted in (ii), and exported;

“Form C1” means a certificate declaring the imported component values in respect of components received from any person in the SACU for use in the manufacture of specified motor vehicles;

“imported component value” means the value for customs duty purposes of any imported original equipment components imported by the registrant or imported by or received from any person in SACU and used in the manufacture or assembly of original equipment components or specified motor vehicles;

“ITAC” means the International Trade Administration Commission of South Africa established in terms of section 7 of the International Trade Administration Act, 2002, (Act No. 71 of 2002);

“Minister” means the member of the Cabinet responsible for trade and industry;

“OEM” means a registered light motor vehicle manufacturer in terms of Note 1 to Chapter 98 of Part 1 of Schedule No. 1 to the Customs Act;

“PI” means production incentive;

“PRCC” means a production rebate credit certificate as described in Section 6 hereof;

“registered light motor vehicle manufacturer” means a manufacturer of specified motor vehicles;

“quarter” means a calendar quarter, unless otherwise specified in these Regulations, and refers to the period 1 January to 31 March, the period 1 April to 30 June, the period 1 July to 30 September and the period 1 October to 31 December;

“SACU” means the Southern African Customs Union;

“selling price” means the price as indicated in the invoice of the final manufacturer exclusive of VAT, *ad valorem* excise duty, environmental levy and any other cost which has no bearing on manufacturing, as specified in note 4.2 to APDP Info Doc A;

“SARS” means the South African Revenue Service;

"specified motor vehicles" means:

- (i) road tractors or semi-trailers of subheading 8701.20 of a vehicle mass not exceeding 1 600 kg;
- (ii) motor vehicles for the transport of ten or more persons, including the driver, of heading 87.02, of a vehicle mass not exceeding 2 000 kg, (excluding those of subheading 8702.10.10);
- (iii) motor cars (including station wagons) of heading 87.03;
- (vi) motor vehicles for the transport of goods of heading 87.04 of a vehicle mass not exceeding 2 000 kg or a G.V.M. not exceeding 3 500 kg or of a mass not exceeding 1 600 kg or a G.V.M. not exceeding 3 500 kg per chassis fitted with a cab (excluding motor vehicles of subheading 8704.10, shuttle cars and low construction flame-proof vehicles for use in underground mines and off-the-road logging trucks); and
- (v) chassis fitted with engines of heading 87.06, of a mass not exceeding 1600 kg or a G.V.M. not exceeding 3 500 kg (excluding those for motor vehicles of subheading 8704.10, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks);

"standard materials" mean locally beneficiated raw materials originating in the SACU which have been processed to suit automotive specifications;

"SVA" means standard value added, which is the portion or percentage of standard material, deemed to be local value added;

"thedti" means the Department of Trade and Industry;

"value added" means the selling price less the value of non-qualifying material and components;

"VAA" means volume assembly allowance;

"vulnerable industry" means those industries determined by the Minister which will be eligible for an improved level of support under the APDP and as specified in note 4.4.2 to APDP Info Doc A; and

"vulnerable products" mean those products determined by the Minister which will be eligible for an improved level of support under the APDP and as specified in note 4.4.2 to APDP Info Doc A.

Part B – General Provisions

2. Objectives of the APDP

The APDP is a programme which is aimed at creating an environment that will enable registered light motor vehicle manufacturers to significantly grow production volumes and component manufacturers to significantly grow value addition, leading to the creation of additional employment opportunities across the automotive value chain.

3. Applicability of the Regulations

The Regulations will be applicable in SACU and must be read together with Rebate Item 317.03 of Schedule No. 3 to the Customs Act.

4. Participation in the APDP

4.1 Participation in the APDP is voluntary; and

4.2 by registering under and participating in the APDP, a participant unconditionally binds itself to the rules and conditions of the APDP as determined by ITAC in these Regulations and the APDP Info Docs.

5. Structure of the APDP

5.1 The APDP consists of rebates and refunds of the relevant customs duties as legislated in the Customs Act.

5.2 The relevant customs duties can be found in Chapters 87 and 98 of Part 1 of Schedule No. 1 to the Customs Act.

5.3 The relevant rebate provisions can be found in Rebate Items 317.03 and 460.17 of Schedules Nos. 3 and 4 respectively to the Customs Act.

5.4 The relevant refund provisions can be found in Items 536.00, 537.00 and 538.00 in Schedule No. 5 to the Customs Act.

Part C – Production Rebate Credit Certificates (PRCCs)

6. PRCC

A PRCC is a document issued by ITAC indicating the PI, which is an incentive available to final manufacturers of eligible products.

7. Calculation of Production Incentives (PI)

The value of the PI is determined by the value added. The result is adjusted by the PI factor provided for in section 11 hereof to arrive at the value of the PI.

8. Who may apply for a PRCC

Final manufacturers based in South Africa, which are registered with SARS as taxpayers may apply for a PRCC.

9. Eligible Products under the APDP

9.1 The following products qualify as eligible products under the APDP:

- 9.1.1 specified motor vehicles fitted with an engine and gear-box manufactured in a licensed, special vehicle manufacturing warehouse in South Africa;
- 9.1.2 specified motor vehicles not fitted with an engine or gear-box manufactured in a licensed, special vehicle manufacturing warehouse in South Africa;
- 9.1.3 automotive components applicable to the vehicles noted in 9.1.1 and 9.1.2;
- 9.1.4 automotive tooling; and
- 9.1.5 automotive components applicable to heavy motor vehicles as defined in Note 1 to rebate item 317.07 of Schedule No. 3 to the Customs and Excise Act, 1964.

9.2 Notwithstanding section 9.1.3 and 9.1.5, for their products to qualify as eligible products, component manufacturers must –

- 9.2.1 apply for an EPC in the manner and form as required by ITAC;
- 9.2.2 achieve local/international OEM supply chain turnover, excluding tooling, of at least 25 per cent of total automotive turnover; or R10m in OEM supply chain invoicing per annum; and
- 9.2.3 manufacture components for which a PI is claimed that are:
 - (i) part of a local or international OEM supply chain; or
 - (ii) replacement parts manufactured by a manufacturer adhering to the requirements set out in sections 9.2.1 and 9.2.2.

9.3 Notwithstanding sections 9.1 and 9.2, for components to qualify as eligible products, the following conditions must be met:

9.3.1 In the event of the final process of manufacture not taking place in South Africa, a determination as to the eligibility of the relevant product must be made by ITAC, provided that operations that consist only of packing or painting will not qualify as manufacturing; and

9.3.2 not less than 25 per cent of the ex-factory selling price (exclusive of VAT, *ad valorem* excise duty and environmental levy) of the components, at the time of sale, is represented by the sum of –

(i) the cost of labour incurred in SACU;

(ii) the value of material originating in the SACU; and

(iii) the factory overhead expenses incurred in SACU (excluding profit).

10. Standard materials

10.1 Material qualifying as standard materials, and thereby qualifying as value added, are those identified by the Minister and set forth in note 4.3.1 to APDP Info Doc A. The list of standard materials as set out in the APDP Info Doc may be amended on approval by the Minister.

10.2 The SVA for standard materials used in the manufacture of an eligible product will be 25 per cent of the value of the standard material.

11. Yearly PI factor percentage

The PI factor for PRCC claims for the period 1 January 2013 to 31 December 2013 will be 55 per cent and will be reduced by one per cent per annum to 50 per cent, which percentage will be applicable from 1 January 2018 onwards.

12. Vulnerable industries and products

12.1 Vulnerable industries and products are those identified by the Minister and set forth in note 4.4.2 to APDP Info Doc A.

12.2 Notwithstanding section 10.2, for vulnerable industries and products, the SVA for the standard materials used in the manufacture of an eligible product will be 40 per cent of the value of the standard materials for the period 1 January 2013 to 31 December 2014 and will be reduced by 5 per cent per annum

from 1 January 2015 to 25 per cent, which percentage will be applicable from 1 January 2017 onwards.

12.3 The PI factor for vulnerable industries and products will be 80 per cent and will be reduced by 5 per cent per annum from 1 January 2015 to 50%, which percentage will be applicable from 1 January 2020 onwards.

12.4 The SVA indicated in section 12.2 and the PI factor indicated in section 12.3 may be amended on approval by the Minister.

13. Application for PRCC

13.1 To claim a PRCC, an application must be lodged with ITAC in the manner and form as required in note 5 to APDP Info Doc A.

13.2 An application for a PRCC may be lodged only once full payment for the eligible products sold have been received by the manufacturer or, in the case of vehicle capitalised by an OEM, the date of capitalisation.

13.3 The right to claim PRCCs lies with the applicant who is the registered manufacturer of an eligible product, except for a component manufacturer that supplies components for fitment on line by a registered local light motor vehicle manufacturer for assembly of specified light motor vehicles, in which case the value added on the applicable components will roll up to the standard material declaration of the registered light motor vehicle manufacturer, who may claim the PRCC for the manufactured vehicle that incorporates the applicable components.

13.4 Completed applications claiming PRCCs must be submitted to ITAC no later than 12 calendar months from the date of the invoice for the eligible products.

14. Issuing of a PRCC

14.1 A PRCC will be issued for the qualifying amount, in terms of the PI, applicable to the eligible product and will indicate whether it is based on production of:

14.1.1 specified motor vehicles;

14.1.2 specified motor vehicles without an engine and/or gearbox;

14.1.3 automotive components for medium and heavy motor vehicles; or

14.1.4 automotive components and tooling.

14.2 Where a PRCC that has been issued for the production of components, tooling or specified motor vehicles without an engine and/or gearbox, is used to reduce the duty on imports of specified motor vehicles, SARS will reduce the value as shown on the PRCC by 20 per cent.

14.3 Where a holder of a PRCC or an applicant for a PRCC or a related party to the applicant is the subject of a fraud investigation, ITAC will have the right to withdraw and/or refuse to issue a PRCC.

15. Usage of a PRCC

15.1 A PRCC, excluding a PRCC issued for the manufacture of medium and heavy motor vehicle components, can be used to reduce the value for customs duty purposes of imports into SACU of the following automotive products:

15.1.1 new right-hand drive specified motor vehicles as defined in note 1 to rebate item 317.03 to the Customs Act;

15.1.2 components as defined in note 8 to Chapter 98 of Part 1 of Schedule No. 1 to the Customs Act for the vehicles identified in 15.1.1 above and components for which the tariff headings are listed in Rebate Item 460.17/00.00/03.00 of Schedule No. 4 to the Customs Act for all of specified motor vehicles.

15.2 A PRCC issued for the manufacture of medium and heavy motor vehicles components can only be used in terms of rebate item 317.07.

15.3 A PRCC can be used only by the original holder thereof. However, the original holder of the PRCC may apply to ITAC, in the manner and form prescribed by ITAC, for the PRCC to be transferred to another qualifying South African entity, upon the sole discretion of ITAC. A PRCC may only be transferred once.

15.4 A PRCC is valid for a period of twelve months, which period commences on the first day of the quarter in which the PRCC claim was submitted to ITAC.

16. Verification and modification of a PRCC

16.1 ITAC shall have the right to verify all information relating to a PRCC application and may under such conditions as it may determine, restrict the value of a PRCC.

16.2 ITAC has the right to amend, suspend, adjust or withdraw any PRCCs issued or to be issued upon the discretion of ITAC and take such other action as provided for in the APDP Info Doc or as deemed fit by ITAC.

Part D – Calculation of the CSP for VAA purposes

17. CSP and calculation thereof

17.1 In terms of Note 7.1(c) to Rebate Item 317.03 of Schedule 3 to the Customs Act, the CSP is a percentage that is calculated by ITAC and is used by SARS in the calculation of the VAA.

17.2 The CSP is:

17.2.1 In the case of vehicles built for the local market, the difference between the recommended retail list price ("RRLP") and the dealer's invoice price (*selling or invoice price by the OEM exclusive of VAT, ad valorem excise duty and environmental levy*), plus market related expenditure, expressed as a percentage of the RRLP; or

17.2.2 In the case of vehicles exported, the market related expenditure expressed as a percentage of the dealer's invoice price (selling or invoice price by the OEM).

17.3 In terms of Note 7.1(c) to Rebate Item 317.03 of Schedule No. 3 to the Customs Act, the CSP will be calculated by ITAC as provided for in APDP Info Doc B. ITAC will provide the calculated percentage to SARS, which will apply the percentage to determine the VAA for each registered light motor vehicle manufacturer.

18. Entities qualifying for CSP

18.1 Motor vehicle manufacturers with a plant capacity of 50 000 units per annum may submit applications to ITAC for registration as a specified motor vehicle manufacturer.

18.2 ITAC will calculate a CSP and provide the calculated percentage to SARS only where a registered light motor vehicle manufacturer achieves a minimum production level of 50 000 units measured over the most recent four quarter total in the manner and form as determined by ITAC in Info Doc B.

18.3 A registered light motor vehicle manufacturer that introduces a new model to replace an existing model in its manufacturing plant may apply to ITAC, in the manner and form as determined by ITAC in APDP Info Doc B, for two "dead quarters" to lessen the effect of a possible drop in production volumes. In the event that the overall production of the registered light motor vehicle manufacturer will not be significantly affected, ITAC may decide not to allow the "dead quarters".

18.4 Motor vehicle manufacturers that are new entrants must submit an application to ITAC in the manner and form as required in APDP Info Doc B and will only qualify for a VAA if they have a production capacity of 50 000 units per annum.

19. VAA Usage

In terms of Note 7 to Rebate Item 317.03 of Schedule No. 3 to the Customs Act:

19.1 The VAA shall be used by a registered light motor vehicle manufacturer to reduce the value for customs duty purposes of original equipment components imported and the imported component values of original equipment components received from any person in the SACU region.

19.2 Any surplus VAA of a registered light motor vehicle manufacturer in a specific quarter will be rolled over to the next quarter and/or may be used to rebate duties on specified light motor vehicles imported by the registered light motor vehicle manufacturer upon obtaining prior written approval from the Commissioner of SARS.

19.3 Should a registered light motor vehicle manufacturer use the excess VAA in a quarter to rebate duties on vehicles imported, SARS will reduce the value of the VAA by 20 per cent.

Part E – Imported Component Value

20. Form C1

20.1 Form C1 is the form that must be used by specified motor vehicle manufacturers and component manufacturers supplying goods to specified motor vehicle manufacturers to declare their imported component values.

20.2 All participants in the APDP must use Form C1 to declare their imported component values in respect of original equipment components for use in the manufacture of specified motor vehicles received from any person in the SACU.

20.3 Any incorrect information supplied on Form C1 can render the whole document null and void and may result in the purchase price of all items in such document being regarded as imported component values.

20.4 If Form C1 is not obtained and completed, the imported component values in respect of such goods may be deemed to be the price at which such goods were purchased.

21. Declaration of imported component values

Specified motor vehicle manufacturers, component manufacturers and component suppliers to the motor vehicle industry must declare the imported component values in respect of each type of component received during a quarter.

22. Calculation for imported component values

22.1 The imported component values for specified motor vehicles manufactured must be determined using the method and basis of calculation as set out by ITAC in APDP Info Doc C titled "Declaration of imported component values".

22.2 ITAC has the right to verify the correctness of the imported component values declared by manufacturers of eligible products by, amongst others, verifying Form C1s and related documents. Discrepancies detected by ITAC will be dealt with as provided for in APDP Info Doc C.

22.3 Values must be entered in Rand (ZAR) and may not be expressed as a percentage or as a foreign currency.

Part F – Transitional Notes**23. Quarterly Customs account and other matters**

23.1 Note 10 to rebate item 317.03 of Schedule No. 3 to the Customs Act has reference regarding matters applicable to the quarterly Customs account of light motor vehicle manufacturers.

23.2 The motor industry development plan (MIDP) will end on 31 December 2012. Accordingly, although claims for exports on or before 31 December 2012 may still be submitted up to 31 December 2013, no application for an import rebate credit certificate (IRCC) based on exports after the termination of the MIDP will be entertained.

23.3 Specified light motor vehicles and automotive components manufactured before 31 December 2012, but only sold after 31 December 2012, will qualify for APDP benefits provided that no benefits were claimed on these sales under the MIDP.

23.4 To ease the transition from the MIDP to the APDP, the following conditions will apply to existing light motor vehicle manufacturers to qualify for a CSP during 2013:

23.4.1 Only light motor vehicle manufacturers that have a production capacity of 50 000 units per annum will qualify for a CSP;

- 23.4.2 The CSP for the first quarter of 2013 will be calculated using financial and statistical information applicable to the last quarter of 2012;
- 23.4.3 No minimum production level will apply during the first two quarters of 2013; and
- 23.4.4 A minimum production level of 12 500 units must be achieved in the third quarter of 2013; and
- 23.4.5 A most recent four quarter total of 50 000 units must be achieved during the 4th quarter of 2013.



Ebrahim Patel, MP
Minister of Economic Development
Date:4...../.....02...../2013

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID**

No. R. 97

15 February 2013

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR THE MEAT TRADE, GAUTENG: EXTENSION OF
AMENDMENT OF MAIN COLLECTIVE AGREEMENT TO NON-PARTIES**

I, **MILDRED NELISIWE OLIPHANT**, Minister of Labour, hereby in terms of section 32(2) of the Labour Relations Act, 1995, declare that the Collective Agreement which appears in the Schedule hereto, which was concluded in the **Bargaining Council for the Meat Trade, Gauteng** and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Agreement, shall be binding on the other employers and employees in that Industry with effect from **25 February 2013** and for the period ending 30 June 2014.

**MILDRED NELISIWE OLIPHANT
MINISTER OF LABOUR**

UMNYANGO WEZABASEBENZI**No. R. 97****15 February 2013****UMTHETHO WOBUDLELWANE WEZABASEBENZI KA-1995****UMKHANDLU WOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI BEMBONI
YEKUHWABA NGENYAMA: UKWELULWA KWESIVUMELWANO SOKUCHIBIYELA
ESIYINGQIKITHI SABAQASHI NABASEBENZI SELULELWA KULABO ABANGEYONA
INGXENYE YESIVUMELWANO**

Mina, **MILDRED NELISIWE OLIPHANT**, uNgqongqoshe Wezabasebenzi, ngokwesigaba-32(2) soMthetho wobudlelwano Kwezabasebenzi ka-1995, ngazisa ukuthi isiVumelwano sabaqashi nabasebenzi esitholakala kwiSheduli yesiNgisi exhunywe lapha, esenziwa **uMkhandlu Wokuxoxisana phakathi Kwabaqashi Nabasebenzi Embonini Yokuhweba ngeNyama**, futhi ngokwesigaba 31 soMthetho Wobudlelwano kwezabasebenzi, ka 1995 esibopha labo abasenzayo, sizobopha bonke abanye abaqashi nabasebenzi kuleyoMboni, kusukela ngomhlaka **25 kuNhlolanja 2013** kuze kube ngu 30 kuNcwaba 2014.

MILDRED NELISIWE OLIPHANT**UNGQONGQOSHE WEZABASEBENZI**

SCHEDULE
BARGAINING COUNCIL FOR MEAT TRADE GAUTENG
COLLECTIVE AGREEMENT

made and entered into, in accordance with the provisions of the Labour Relations Act, 1995, as amended, between the

Meat Traders Association Gauteng

(hereinafter referred to as the "employers" or "employers' organisation"), of the one part, and

Meat and Allied Workers Union

Gauteng Meat Traders Employees' Union

(hereinafter referred to as the "employees" or the "trade unions") of the other part,

being the parties to the Bargaining Council for Meat Trade Gauteng to amend the agreement published under Government Notice R 792 of 25 July 2008.

1. SCOPE OF APPLICATION OF AGREEMENT

- (1) The terms of this Agreement shall be observed in the Meat Trade in the following Magisterial Districts:
- Alberton, Boksburg, Brakpan, Germiston, Kempton Park, Johannesburg, Randburg, Roodepoort, Benoni, Krugersdorp, Randfontein, Springs, Westonaria and the area within a 25 km radius of Church Square, Pretoria -
- (a) by all employers who are members of the employers' organization and by all
- (b) employees who are members of the trade unions, and who are engaged or employed in the Meat Trade.
- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply only in respect of employees for whom wages are prescribed in this Agreement.
- (3) The provisions of clauses 1(1)(a) and (b), and 1A of this Agreement shall not be binding on non-parties.

1A. PERIOD OF OPERATION

This Agreement shall come into operation on such a date fixed by the Minister of Labour in terms of section 32 of the Labour Relations Act, 1995, as amended, and shall remain in force until 30 June 2014.

2. CLAUSE 3: REMUNERATION

Substitute the following for clause 3:

“3. REMUNERATION

“(1) As from the date of coming into operation of this Agreement, no employer shall pay and no employee shall accept wages lower than the following: -

	Per month
Bookkeeper	4278.80
Cashier	2281.00
Cashier and invoice clerk	3131.60
Cleaning employee.....	1955.50
Labourer, I	2281.00
Labourer, II	2190.50
Manager	7027.20
Mass measurer and/or pricer	2281.00
Master meat cutting technician, grade IA.....	6500.60
Meat cutting technician, grade IB.....	5661.20 ^s
Meat cutting technician, II	3421.30
Motor vehicle driver, the unladen mass of which vehicle together with the unladen mass of any trailer does not exceed -	
450 kg	2281.00
2700 kg	2498.30
4500 kg	2914.50 ^{s/s}
Salesperson	3457.80
Security officer	2914.50
Shop controller / supervisor	11437.00
Wrapper and/or packer	2190.50 ^{s/s}

- (2) Differential rates - An employer who requires or permits an employee of one category to perform the duties of a higher paid category for longer than one hour in any one day, either in addition to his own work or in substitution thereof, shall pay such employee in respect of that day, not less than one sixth of the higher weekly wage prescribed in subclause (1)."

3. CLAUSE 22: COUNCIL FUNDS

The funds of the Council, which shall be vested in and administered by the Council, shall be provided in the following manner -

- (a) every employer shall, in respect of each and every establishment he owns or conducts, pay a monthly levy of R45.00;
- (b) every employer shall deduct R30.00 per month from the wage payable to every employee and add to such deduction an equivalent amount;
- (c) the employer shall ensure that the above amounts are received at the Council' address by no later than the 7th day of each succeeding month, together with the form prescribed by the Council.

4. CLAUSE 23: SICK BENEFIT FUND

- (4) Substitute the schedule in clause 23 with the following schedule:

"SCHEDULE

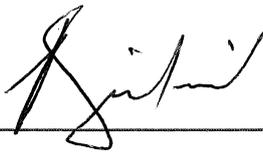
BENEFIT	Monthly Salary R1000- R4000					Monthly Salary R 4001 +				
	Medical	Network	Hospital	Total Network	Total Hospital	Medical	Network	Hospital	Total Network	Total Hospital
Single Member	456	930	1026	1386	1482	501	930	1026	1431	1527
Member +1 Adult	642	1686	1860	2328	2502	708	1686	1860	2394	2568
Member +1 Child	642	1206	1332	1848	1974	708	1206	1332	1914	2040
Member +1 Adult +1 Child	660	1962	2166	2622	2826	732	1962	2166	2694	2898
Member +2 Children	660	1482	1638	2142	2298	732	1482	1638	2214	2370
Member +1 Adult +2 Children	684	2238	2472	2922	3156	756	2238	2472	2994	3228
Member +3 Children	684	1482	1638	2166	2322	756	1482	1638	2238	2394
Member +1 Adult +3 Children	708	2238	2472	2946	3180	780	2238	2472	3018	3252
Member +4 Children	708	1482	1638	2190	2346	780	1482	1638	2262	2418
Member +1 Adult + 4 Children	732	2238	2472	2970	3204	804	2238	2472	3042	3276
Single Pensioner	446	930	1026	1376	1472					
Pensioner+ 1 Adult	632	1686	1860	2318	2492					

5. CLAUSE 24: RETIREMENT FUNDS

Substitute sub-clause (8) with the following:

"(8) benefits or refundable moneys in terms of this clause, which remain unclaimed, shall be dealt with in accordance to the provisions of the Pension Funds Act, as amended."

THUS DONE AND SIGNED AT JOHANNESBURG ON THIS 16TH DAY OF NOVEMBER
2012.



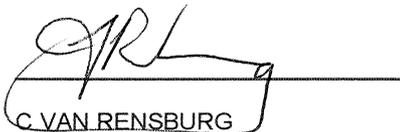
EMP BIELOVICH

Chairman of the Council



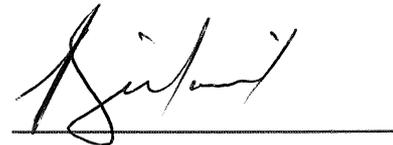
GS KOK

Vice Chairman of the Council



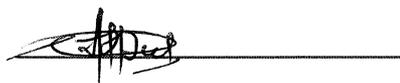
C VAN RENSBURG

Secretary of the Council



EMP BIELOVICH

Chairman of the Meat Traders
Association (Gauteng)



COLIN APPIES

Secretary of the Meat and Allied

Workers Union



GS KOK

Secretary of the Gauteng Meat

Traders Employees Union

**SOUTH AFRICAN REVENUE SERVICE
SUID-AFRIKAANSE INKOMSTEDIENS**

No. R. 98

15 February 2013

**CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1463)**

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

SCHEDULE



**N NENE
DEPUTY MINISTER OF FINANCE**

By the substitution of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty			
				General	EU	EFTA	SADC
0307.39.10	7	--- Smoked	kg	25%	5,5c/kg	free	free
0307.39.90	8	--- Other	kg	25%	free	free	free

No. R. 98

15 Februarie 2013

**DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1463)**

Kraglens artikel 4B van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangeleë.



**N NENE
ADJUNKMINISTER VAN FINANSIES**

BYLAE

Deur die vervanging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg			
				Algemeen	EU	EFTA	SAOG
0307.39.10	7	Gerook	kg	25%	5.5c/kg	vry	vry
0307.39.90	8	Ander	kg	25%	vry	vry	vry

No. R. 104

15 February 2013

**CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 2 (NO. 2/1/347)**

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.

SCHEDULE



**N NENE
DEPUTY MINISTER OF FINANCE**

By the insertion of the following:

Item	Tariff Heading	Code	CD	Description	Rebate items	Imported from or Originating in	Rate of Anti-dumping duty
206.04	3207.40	01.06	67	Glass frit and other glass, in the form of powder, granules or flakes manufactured or exported by Smalticeram Do Brazil Ltda		Brazil	24,65%
206.04	3207.40	02.06	61	Glass frit and other glass, in the form of powder, granules or flakes (excluding that manufactured or exported by Smalticeram Do Brazil Ltda)		Brazil	50%

PREPARED PIGMENTS, PREPARED OPACIFIERS AND PREPARED COLOURS, VITRIFIABLE ENAMELS AND GLAZES, ENGObES (SLIPS), LIQUID LUSTRES AND SIMILAR PREPARATIONS, OF A KIND USED IN THE CERAMIC, ENAMELLING OR GLASS INDUSTRY; GLASS FRIT AND OTHER GLASS, IN THE FORM OF POWDER, GRANULES OR FLAKES:

No. R. 104

15 Februarie 2013

**DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 2 (NO. 2/1/347)**

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.



**N NENE
ADJUNKMINISTER VAN FINANSIES**

BYLAE

Deur die invoeging van die volgende:

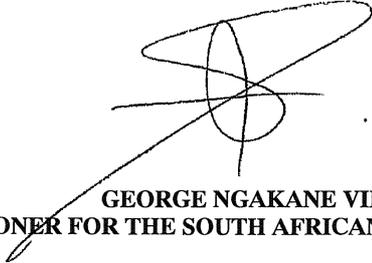
Item	Tarifpos	Kode	TS	Beskrywing	Kortingitem	Ingevoer vanaf of Oorspronklik van	Skaal van Anti-dumpingreg
206.04	BEREIDE PIGMENTE, BEREIDE KONTRASMIDDELS EN BEREIDE KLEURE, VERGLASBARE EMALJES GLASURE, ENGOBES (KLEIPAPPE), VLOEIBARE VERGLANSMIDDELS EN DERGELIKE PREPARATE, VAN 'N SOORT IN DIE KERAMIEK-, EMALJE- OF GLASNYWERHEID GEBRUIK; SINTERGLAS EN ANDER GLAS, IN DIE VORM VAN POEIER, KORRELS OF VLOKKE						
206.04	3207.40	01.06	67	Sinterglas en ander glas in die vorm van poeier, korrels of vlokke vervaardig of uitgevoer deur Smalticeram Do Brazil Ltda		Brasilië	24,65%
206.04	3207.40	02.06	61	Sinterglas en ander glas in die vorm van poeier, korrels of vlokke (uitgesonderd dié vervaardig of uitgevoer deur Smalticeram Do Brazil Ltda)		Brasilië	50%

No. R. 106

15 February 2013

**CUSTOMS AND EXCISE ACT, 1964.-
WITHDRAWAL OF PROVISIONAL PAYMENT (PP/140)**

In terms of section 57A of the Customs and Excise Act, 1964, the provisional payment in relation to anti-dumping duty imposed through Notice No. 689 in Government Gazette No. 35626 dated 31 August 2012, to the extent and on the goods set out in the Schedule hereto, is hereby withdrawn.


**GEORGE NGAKANE VIRGIL MAGASHULA
COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE**

SCHEDULE

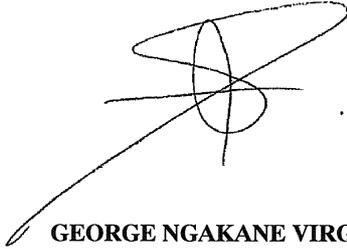
Subheading	Description of Goods	Provisional Payment	Imported from or originating in
2924.29	Acetaminophenol manufactured by Anqiu Lu'an Pharmaceutical Co. Ltd	2 573c/kg	China

No. R. 106

15 Februarie 2013

**DOEANE- EN AKSYNSWET, 1964
ONTREKKING VAN VOORLOPIGE BETALING (VB/140)**

Kragtens artikel 57A van die Doeane- en Aksynswet, 1964, word die voorlopige betaling met betrekking tot anti-dumpingreg deur Kennisgewing No. 689 wat in Staatskoerant No. 35626 gedateer 31 Augustus 2012 opgelê is, tot die mate en op die goedere in die Bylae hierby aangetoon, onttrek.


**GEORGE NGAKANE VIRGIL MAGASHULA
KOMMISSARIS VAN DIE SUID-AFRIKAANSE INKOMSTEDIENS**

BYLAE

Subpos	Beskrywing van Goedere	Voorlopige Betaling	Ingevoer vanaf of afkomstig van
2924.29	Asetaminofenol vervaardig deur Anqiu Lu'an Pharmaceutical Co. Ltd	2 573c/kg	China