

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

GUIDELINES, RULES AND CONDITIONS PERTIANING TO REBATE ITEM 320.12/5603.1/01.05 and 320.12/5603.9/01.05

1. Applicants must register with South African Revenue Services (SARS) as users of rebate items 320.12/5603.1/01.05 and 320.12/5603.9/01.05; before applying for rebate permits. Applicants must acquaint themselves with the requirements of SARS.
2. Applications for permits must be addressed to the International Trade Administration Commission (ITAC), Private Bag X 753, Pretoria or delivered by hand to the DTI Campus, (Block E), 77 Meintjies Street, Sunnyside, Pretoria, 0002.
3. Applications for permits must be submitted according to the requirements of the attached application form (See Annexure A). If the space provided in the application form is insufficient, please use the format of the application form to submit the requested information.
4. If all the information requested in the application form is not submitted, the application will be regarded as deficient and, not be considered, and it will be returned to the applicant.
5. At least fourteen (14) working days should be allowed for the processing of applications and the issuing of permits.
6. Each rebate permit issued defines the period during which the goods concerned can be cleared under rebate, and the period shall be for a 12 month period starting from the date on which the permit was issued, or a shorter period as requested by the applicant, or as decided upon by ITAC.

7. Rebate permits issued will be subject to the following conditions:
- The applicant must comply with labour laws and agreements gazetted by the Minister of Labour;
 - The applicant must submit a Tax Clearance Certificate;
 - The applicant must provide with regard to each permit application the number of jobs it expects to create annually as a result of the rebate. The applicant will submit to ITAC an annual report on its job creation performance. This report need to be submitted annually;
 - The applicant need to consult with the local manufacturers of non-woven spun bond fabrics to confirm if they are able to supply a reasonable quality and quantity of fabrics as required;
 - The applicant can request the manufacturer to respond within 14 days of their request. Should the local manufacturers of non-woven spun bond fabrics not be able to supply the quantity and/or quality requested, the applicant need to obtain a confirmation letter from the manufacturer stating that they are not able to supply. The original letter needs to be submitted with the application form;
 - If the manufacturer unreasonably refuses to provide such a confirmation letter, ITAC will address a letter to the manufacturer informing them of the application and requesting it to confirm its production and production capacity. The manufacturer will then be allowed 7 days to respond to this letter. Should the manufacturer respond within the 7 day period, the information provided will be taken into account during the decision making process; and
 - Should, after receipt of the manufacturers response, or in the absence of such response, information be available that reflects that the manufacturer is reasonably unable to supply the quality and quantity of fabrics required, ITAC will be able to consider the issuing of a permit without, or despite, the required letter of confirmation by the manufacturer.

8. Rebate 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.

9. If there is reason to believe that any condition reflected in a permit is not complied with, the consignment in terms of which the rebate permit was used can be seized by ITAC. If it is established that non-compliance occur, appropriate steps will be taken will be taken in terms of the International Trade Administration Act, the Customs and Excise Act, and other relevant legislation can include, criminal charges, withdrawal of the permit or permits concerned and/or the rejection of future applications for permits.

**INTERNATIONAL TRADE ADMINISTRATION
COMMISSION OF SOUTH AFRICA**

**APPLICATION FOR A PERMIT IN TERMS OF ITEMS
320.12/5603.1/01.05 and 320.12/5603.9/01.05 FOR
REBATE OF THE DUTY
ON NON-WOVEN SPUNBOND FABRIC, USED FOR
THE MANUFACTURE OF BABY DIAPERS**

APPLICATION FORM

BEFORE COMPLETING THIS FORM, PLEASE ACQUAINT YOURSELF WITH THE
GUIDELINES AND CONDITIONS PERTAINING TO REBATE ITEMS 320.12/5603.1/01.05
and 320.12/5603.9/01.05

NB: ALL INFORMATION REQUESTED SHOULD BE FURNISHED

<p>1 (a). Applicant's name and postal address:</p> <p>Contact person:.....</p> <p>Position:.....</p> <p>Address:.....</p> <p>.....</p> <p>Tel no:.....</p> <p>Fax no:.....</p> <p>Date completed:.....</p> <p>SARS Importer Registration no:</p>	<p>1 (b). Street address where manufacturing will take place:</p>
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2 (a). Technical description of the NON WOVEN SPUNBOND FABRIC that will be IMPORTED:

- 1
- 2
- 3
- 4

2 (b). Furnish the following information in respect of each of the NON WOVEN SPUNBOND FABRIC mentioned in 2 (a)

Product	i HS tariff code (8-digits)	ii Duty payable	iii Estimated quantity	iv Customs (f.o.b.) value	v Country of origin	vi Planned date of import
1						
2						
3						
4						

3 (a). Description of the products that will be manufactured from the non woven spun bond fabric described in 2 (a):

- 1
- 2
- 3
- 4

3 (b) Furnish the following information in respect of each of the products mentioned in 3(a):

Product	I HS Tariff code 8-digits	II Quantity to be processed	III Estimated sales value (ex-factory)
1			
2			
3			
4			

4. State the following:

1. Unit of measurement HS tariff code	
2. Unit of measure as per your application	
3. Conversion factor item 1 and 2 to produce one item	

5. Yield / formula of manufacture:
What quantities of each of the fabrics listed in 2 (a) will be needed to produce a UNIT quantity of the product listed in 3(a)?

6. What manufacturing will be carried out by yourselves?
What is the nature of the manufacturing operation?

7 Please indicate the value of your total sales in the Southern African Customs Union (SACU) as well as your exports for the past three years in respect of the products mentioned in 3(a):

Year	Product	HS Tariff code (8-digits)	Total Sales (in SACU)	Total export sales

8 (a) Are the goods/materials/components to be imported (as mentioned in 2(a)) available from local manufacturers ?

YES	NO
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8(b) Why do you have to import the goods/materials/components?
 (This information is for record purposes only.)
(Please submit letters from local manufacturers as proof of efforts made to obtain the fabrics locally)

9. Name of Chief Executive Officer:.....

Tel no:..... Fax no:.....

DECLARATION IN RESPECT OF AN APPLICATION FOR A PERMIT IN TERMS OF REBATE PROVISIONS 320.12/5603.1/01.05 and 320.12/5603.9/01.05 OF SCHEDULE 3 TO THE CUSTOMS AND EXCISE ACT, 1964

NB: The obligation to complete and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the claimant

I, (full names) with identity number, in my capacity as – managing director/chief executive (in respect of a company) or senior member/ person with management responsibility (close corporation, partnership or individual) (Delete whichever is not applicable)

of (hereinafter referred to as the applicant) hereby declare that –

- a) the applicant complies with prescribed requirements in order to qualify for rebate in terms of the above-mentioned rebate provision;
- b) I have satisfied myself that the preparation of the application has been done in conformity with the guidelines and requirements in respect of the above-mentioned rebate provision, with which I have fully acquainted myself and to which I unconditionally agree to;
- c) I accept that the decision by the Chief Commissioner: International Trade Administration will be final and conclusive and that the said Chief Commissioner may at any time conduct or order that an investigation to verify information furnished in the application form, be conducted;
- d) The information furnished in this application is true and correct;
- e) The applicant or any one of its associates, or related party is not a subject of an investigation by either the South African Police Service, the Office for Serious Economic Offences, International Trade Administration Commission, or the Commissioner for South African Revenue Services (SARS) into previous claims or other related matters.

NAME: **DESIGNATION:**

SIGNATURE: **DATE AND YEAR:**

I CERTIFY THAT THE DEPONENT HAS ACKNOWLEDGED THAT HE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT, AND THAT HE HAS NO OBJECTION TO TAKING THE PRESCRIBED OATH, AND THAT HE CONSIDERS THIS OATH TO BE BINDING ON HIS CONSCIENCE.

SIGNED and SWORN to before me at on this Day of Year.

.....
COMMISSIONER OF OATHS

FULL NAMES:

CAPACITY:

BUSINESS ADDRESS:

.....

AREA: