**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**

* 1. Applicants must register with South African Revenue Service (SARS) as users of rebate item 311.02/63.09/01.04 before applying for rebate permits.
  2. 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.
  3. 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.
  4. 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.
  5. At least fourteen (14) working days must be allowed for the processing of rebate permit applications and the issuing of the rebate permit.
  6. 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.
  7. 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.

* 1. 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**

* 1. Rebate permits and import control permits issued will be subject to the following conditions:
     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.

2.1.2Goods 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).

2.1.3Location 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.

2.1.4Notification 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.

2.1.5Documentation 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 Lading

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.

Invoices reflecting the sale of fibers recovered from clothing and other articles of textile materials obtained in South Africa 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, address (postal and street) and telephone number of each purchaser.

* + 1. Requirements in respect of goods not suitable for the recovery of fibers.

Any clothing and other articles of textile material that enter the premises that are not suitable for the recovery of fibers, must be cut up at the premises, within 10 working days of being identified as not suitable for the recovery of fibers.

Any product not suitable for the recovery of fibers, such as zips, that are removed from the consignment must be destroyed within 10 working days of being removed from the clothing or other articles of textile materials, with the exception of buttons. Buttons removed from clothing or other articles of textile material must be disposed off within 10 working days after removal. Proper records must be kept with regards to the disposal of such goods.

The non-suitable material may only be removed from the premises in terms of a written authorization issued by the Manager: Inspectorate of the Directorate Import and Export Control in which authorization the nature and mass of the goods, the date or dates on which the goods will be removed from the premises and the destination of the goods are fully described.

Requests to obtain above authorization must be in writing and submitted to the Manager: Inspectorate of the Directorate Import and Export Control at least 15 working days before the date on which authorization is required. Should waste be removed more frequently, requests need to be submitted to the Manager: Inspectorate of the Directorate Import and Export Control at least five working days before the date on which authorization is required. Requests must describe the nature and mass of the goods, the planned date or dates of the removal of the goods from the premises and the designation of the goods.

2.1.7Inspections by the Inspectorate: Import and Export Control of the International Trade Administration Commission.

Investigators from the Inspectorate of the Directorate Import and Export Control will visit permit holders and the premises of permit holders to inspect and to investigate any matter or record related to the importation and the recovery of fibers. This includes the inspection of the goods cleared in terms of permits, any other goods that enter the premises and any fibers and waste that leave or came from the premises.

2.1.8Non-compliance to the conditions of permits

If there is a reason to believe that any condition of a permit issued in terms of this rebate provision or related import permit is not complied with, the consignment in terms of which the rebate and import permit was used can be seized by ITAC. If non-compliance is detected, appropriate steps will be taken in terms of the International Trade Administration Act and the Customs and Excise Act that 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 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**

**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA**

**INFORMATION REQUIRED IN SUPPORT OF AN APPLICATION FOR A PERMIT IN TERMS OF 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. Details of applicant**:

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| * 1. **1.1 Name: ……………………………………………………….**   2. **1.2 Postal address: ………………………………………………**   **………………………………………………………………..**  **………………………………………………………………..**   * 1. **1.3 Telephone no.: ………………………………………………**   2. **1.4 E-mail address: ……………………………………………..**   3. **1.5 Name of contact person: ……………………………………**   4. **1.6 Physical address: ……………………………………………**   **………………………………………………………………..**   * 1. **Physical address of premises where the manufacture of wiping rags and cleaning cloths will take place.**   **………………………………………………………………..**  **………………………………………………………………..** |

**2. Details of worn clothing and other worn articles of textile material in respect of which a rebate permit is required:**

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| * 1. **Description of goods imported:…………………………………. …………………………………………………………………………**   **…………………………………………………………………………**  **2.2 Quantity in kg:………………………………………………**  **2.3 F.o.b. Value in R: ……………………………………………**  **2.4 Country of origin: …………………………………………**  **2.5 Planned date of import or period during which it is planned**  **to import: ………………………………..…………………..**  **2.7 Port of entry: .………………………………………………** |

**3. Details of the fibers to be recovered from the products described under 2:**

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| * 1. **Estimated quantity in kg: ..………………………………….**   2. **Estimated sales value in R: ………………………………….**   3. **Period during which the fibers is to be recovered:**   **…………………………………………**   * 1. **Period during which the fibers is to be sold:**   **………………………………………………………….** |

1. **Details of actual imports in terms of the previous permit:**

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| **4.1 Permit No. …….………………………………………….**   * 1. **4.2 Quantity in Kg: …………………………………………..**   2. **4.3 Value in R: ………………………………………………..**   3. **4.4 Date of import or dates of import of different consignments**   **………………………………………………………………** |

**5. Details of fibers recovered during the year proceeding the year that the permit is applied for:**

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| **5.1 Quantity in kg recovered from imported worn clothing and**  **imported worn articles of textile materials: …………………….**  **5.2 Quantity in kg recovered from clothing and articles of**  **textile materials obtained in South Africa: …………………** |

1. **Submit written proof that the applicant is registered with SARS as a user of the rebate provision concerned.**

**7. Please provide a copy of your previous rebate permit (if applicable).**

1. **Complete the following declaration:**

**DECLARATION IN RESPECT OF AN APPLICATION FOR A PERMIT IN TERMS OF REBATE PROVISION 311.02/63.09/01.04 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……………………………………………………………………………………………….

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

1. I have satisfied myself that the preparation of the application has been done in conformity with the regulations in respect of the above-mentioned rebate provision, with which I have fully acquainted myself and to which I unconditionally agree to;
2. I accept that the decision by the International Trade Administration Commission will be final and conclusive and that the said Commission may at any time conduct or order that an investigation to verify information furnished in the application form, be conducted;
3. The information furnished in this application is true and correct to the best of my knowledge and belief;
4. The applicant or any one of its associates, or related party is not a subject of an investigation by any organ of State or other regulatory authority.

**NAME: ……………………………… DESIGNATION: ………………………...**

**SIGNATURE: ……………………… DATE AND YEAR: ……………………..**

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

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

**…………………………………………..**

**COMMISSIONER OF OATHS**

**FULL NAMES: …………………………………………………………………**

**CAPACITY: ………………………………………………………………………**

**BUSINESS ADDRESS: …………………………………………………………..**

**…………………………………………………………..**

**AREA: …………………………………………………………………………**