

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 1211 OF 2022

DRAFT NOTICE FOR PUBLIC COMMENT

TRADE POLICY DIRECTIVE ISSUED IN TERMS OF SECTION 5 AND NOTICE IN TERMS OF SECTION 6 OF THE INTERNATIONAL TRADE ADMINISTRATION ACT, 71 OF 2002, ON THE EXPORTATION OF FERROUS AND NON-FERROUS WASTE AND SCRAP METAL

EXPORT CONTROL

I, Ebrahim Patel, in my capacity as Minister of Trade, Industry and Competition, (the "**Minister**") acting under the powers vested in me by section 5 and section 6 of the International Trade Administration Act, 71 of 2002 (the "**Act**"), hereby issue the following Trade Policy Directive in terms of section 5 and Notice in terms of section 6(1)(c) of the Act.

1. Notwithstanding Government Notice No. R.92 in *Government Gazette* No. 35007, as amended from time to time, the Minister prescribes, in terms of section 6(1)(c) of the Act, that ferrous and non-ferrous waste and scrap metal of a kind listed in the schedule hereto may not be exported from the Republic of South Africa for a period of six months from the date of publication of this Trade Policy Directive and Notice, provided that –
 - 1.1. ferrous and non-ferrous waste and scrap metal for which export permits were issued by the International Trade Administration Commission of South Africa ("**ITAC**") prior to the publication of this Trade Policy Directive and Notice may be exported; and
 - 1.2. ferrous and non-ferrous waste and scrap metal for which export permits are issued by ITAC in respect of export applications lodged before the date of publication of this Trade Policy Directive and Notice may be exported.
2. The Minister hereby issues a Trade Policy Directive in terms of section 5 of the Act that ITAC shall:
 - 2.1. suspend the operation of the Price Preference System for the exportation of ferrous and non-ferrous waste and scrap metal (the "**PPS**") which is set out in the Amended Export Control Guidelines on the Exportation of Ferrous and Non-Ferrous Waste and Scrap as published in Government Notice No. 532, *Government Gazette* No. 43765 of 2 October 2020 as amended from time to time (the "**PPS Guidelines**") for a period of six months from the date of publication of this Trade Policy Directive and Notice; and

- 2.2. not accept or process any applications for export permits for the exportation of waste and/or scrap metal after the date of publication of this Trade Policy Directive and Notice, provided that the PPS and PPS Guidelines shall continue to apply to applications lodged before the date of publication of this Trade Policy Directive and Notice and export permits may be issued in respect of those applications.

Members of the public and interested/affected parties are to submit their written representations and comments within a period of 21 (twenty-one) days from date of publication of this draft notice to the Director-General of Trade, Industry and Competition, marked for the attention of Mr. Mahendra Shunmoogam, either by e-mail: scrapmetalspolicy2022@thedtic.gov.za or hand delivered: at 77 Meintjies Street, Block A, 1st Floor, Sunnyside, Pretoria, 0132.



EBRAHIM PATEL
MINISTER OF TRADE, INDUSTRY AND COMPETITION

DRAFT SCHEDULE

Description of goods	Tariff heading
Ferrous waste and scrap, re-melting scrap ingots of iron or steel	72.04
Copper waste and scrap	7404.00
Copper powders and flakes	74.06
Nickel waste and scrap	7503.00
Nickel Powders and flakes	75.04
Unwrought aluminium	76.01
Aluminium waste and scrap	7602.00
Aluminium powders and flakes	76.03
Unwrought lead	78.01
Lead waste and scrap	7802.00
Lead Powders and flakes	7804.20
Unwrought Zinc	79.01
Zinc waste and scrap	7902.00
Zinc dust, powders, and flakes	79.03
Unwrought tin	80.01
Tin waste and scrap	8002.00
Unwrought tungsten, including bars and rods obtained simply by sintering	8101.94
Tungsten (Wolfram) waste and scrap	8101.97
Unwrought molybdenum	8102.94

Molybdenum waste and scrap	8102.97
Unwrought Tantalum, including bars and rods obtained simply by sintering; powders	8103.20
Tantalum waste and scrap	8103.30
Unwrought Magnesium	8104.1
Magnesium waste and scrap	8104.20
Cobalt waste and scrap	8105.30
Bismuth waste and scrap	8106.90
Titanium waste and scrap	8108.30
Zirconium waste and scrap	8109.3
Cadmium waste and scrap	8112.61
Antimony waste and scrap	8110.20
Manganese waste and scrap	8111.00
Beryllium, chromium, hafnium, rhenium, thallium, cadmium, germanium, vanadium, gallium, indium, niobium (columbium) and articles of these metals, including waste and scrap	81.12