General Notices • Algemene Kennisgewings

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 4158 OF 2026

NOTICE IN TERMS OF SECTION 60 OF THE INTERNATIONAL TRADE ADMINISTRATION ACT, 2002 (ACT NO. 71 OF 2002)

ADMINISTRATIVE FEES GUIDELINES

The International Trade Administration Commission of South Africa ("the Commission") hereby publishes the draft Administrative Fees Guidelines ("the Guidelines") in terms of section 60 of the International Trade Administration Act, 2002 (Act No. 71 of 2002).

Considering budgetary constraints arising from a difficult macro-fiscal environment that has limited the real growth in parliamentary appropriations, the Commission will soon be levying administrative fees to recover certain processing and administrative costs incurred in carrying out its statutory functions.

These Guidelines follow publication of the Administrative Fees Regulations in Notice No. R. 7850 in Government Gazette No. 55255 of 28 August 2026, which provide the regulatory framework for the levying of the fees by the Commission.

Prior to this notice, on 16 May 2025, the Commission published draft Guidelines for public comment under Notice No. 108 in Government Gazette No. 50269. The Commission, having considered these Guidelines, including the comments received during the initial public consultation process, identified additional amendments to the Guidelines that are hereby proposed for further consultation with interested stakeholders.

Overall, the Guidelines serve as a practical reference for stakeholders to understand their obligations and the administrative mechanisms governing ITAC's cost-recovery programme. In particular, the Guidelines clarify the treatment of various types of applications, including import and export permits, rebate and drawback permits, and certificates issued under the Automotive Production and Development Programme (APDP) for which fees will be levied.

The Guidelines further provide procedural guidance for applicants regarding payment methods, timing, and proof of payment requirements. The Guidelines also explain the circumstances under which exemptions may be granted, such as when applications serve a clear public interest or when the goods involved are household goods or personal property.

Finally, the Commission anticipates the commencement of levying fees on **01 April 2027.** The Commission is adopting a 'phased-in' approach to the levying of fees. Initially, the Commission will commence with the levying of fees for the processing of applications for certificates issued under the APDP. The certificates at issue are the following authorizations:

- Eligible Production Certificates ("EPC");
- Production Rebate Certificates ("PRC"); and
- Company Specific Percentage Certificates ("CSP").

At a later stage, and with due notice, the Commission will levy fees for other authorizations issued by it, these being import and export control permits followed by rebate and drawback permits and certificates.

Comments on the Guidelines should be submitted within fourteen (14) days of the date of publication of this Notice and should be addressed to the following Commission official:

Manager: Policy and Research
Mrs Amina Varachia
E-mail address: avarachia@itac.org.za

Confidential Information

Parties submitting confidential information are requested to clearly identify such information and mark the submission accordingly as "Confidential". In terms of ITAC's established procedures, parties submitting confidential information must simultaneously provide a non-confidential version of the submission suitable for disclosure to interested stakeholders. The non-confidential version must contain sufficient detail to permit a reasonable understanding of the substance of the information provided. If a submission is not marked as "Confidential" it may be treated as non-confidential.

International Trade Administration Commission of South Africa

Guidelines, Rules and Conditions in terms of the ITAC Administrative Fees Regulations

A. GENERAL

1. Definitions

In these Guidelines, unless the context indicates otherwise –

1.1. "**Act**" means the International Trade Administration Act, 2002 (Act No. 71 of 2002).

1.2. "**administrative fee**" means the amount payable for a function performed by the Commission, including the processing of an application for a permit or certificate.

1.3. "**Administrative Fees Regulations**" means the ITAC Administrative Fees Regulations promogulated by the Minister in terms of section 59 of the Act for the levying of administrative fees by ITAC, published in Notice No. R. 7850 in Government Gazette No. 55255 of 28 August 2026.

1.4. "**APDP**" means the Automotive Production and Development Programme Phase 2, legislated in Rebate Item 317.04 of Schedule No. 3 to the Customs and Excise Act.

1.5. "**authorisation**" means a permit or certificate issued by the Commission.

1.6. **"certificate**" means, as applicable, a certificate issued in terms of the APDP or a drawback certificate as provided for in section 17 of the Act or such other certificates as the Commission may issue from time to time.

1.7. "**Commission**" means the International Trade Administration Commission of South Africa established in terms of section 7 of the Act.

1.8. "**Customs and Excise Act**" means the Customs and Excise Act, 1964 (Act No. 91 of 1964).

1.9. "**Common Customs Area**" means the combined areas of the Member States of Southern African Customs Union ("SACU").

1.10. "**designated bank account**" means ITAC's bank account to be used for the payment of an administrative fee.

1.11. **"Export Control Regulations"** means the regulations promogulated by the Minister and published in Notice No. R. 92 in Government Gazette No. 35007 of 10 February 2012, as amended.

1.12. "**function**" means any task performed, or service provided, including the issuing of authorisations, by the Commission.

1.13. "**Guidelines**" means these Guidelines, Rules and Conditions issued by the Commission in terms of the Administrative Fees Regulations.

1.14. "**household or personal property**" means goods (excluding firearms and ammunition, pneumatic tyres, tyre casings and used or second-hand motor vehicles and goods contained in Schedules 2 and 3 of the Commission's Import Control Regulations) imported for the personal use of a South African citizen returning to the Republic or by a person entering the Republic for purposes of either permanent or temporary residence; or goods (excluding controlled vehicles and goods contained in Schedules 2 and 3 of the Commission's Export Control Regulations) exported for the personal use by a natural person leaving the Republic temporarily or permanently.

1.15. "**Import Control Regulations**" means the regulations promogulated by the Minister and published in Notice No. R. 91 in Government Gazette No. 35007 of 10 February 2012, as amended.

1.16. "**Minister**" means the Executive Member of the Cabinet responsible for Trade, Industry and Competition.

1.17. "**permit**" means, as applicable, a permit issued in terms of the APDP, a rebate or drawback permit or an import or export control permit, as provided for in sections 17 and 27 of the Act, or such other permits as the Commission may issue from time to time.

1.18. "**Republic**" means the Republic of South Africa.

1.19. "**SACU**" means the Southern African Customs Union.

1.20. **"Schedule"** means the various Schedules to the Customs and Excise Act.

1.21. "**second-hand goods**" means any goods or parts thereof that were (or are assumed to have been) previously owned, possessed, held and/or registered by or in the name or names of any person or entity, excluding goods that have been sold or otherwise transferred solely between the manufacturer, authorised/appointed wholesaler or authorised/appointed retailer of the goods concerned.

1.22. "**used goods**" means any goods, including parts thereof that were (or are assumed to have been) used for:

(a) the purpose it was designed for, excluding use by the manufacturer for testing and evaluation purposes, or;

(b) any purpose whatsoever, including use resulting in such goods reflecting signs of use, ageing, deterioration, modification or alteration.

Used goods also include damaged, shop soiled, defective, rejected, outdated, remanufactured, reconditioned, refurbished or modernized goods of any nature and to any extent whatsoever.

1.23. "**waste and scrap metal**" means ferrous and non-ferrous waste and scrap metal, and includes semi-finished metal products, subject to an export permit issued by the Commission in terms of the Price Preference System, which system was established pursuant to a trade policy directive issued by the then Minister of Economic Development under Notice No. 470 in Government Gazette No. 36451 of 10 May 2013.

2. Purpose

The purpose of these Guidelines is to provide a general reference and procedural guide for the payment of an administrative fee for the processing of applications for certain functions performed by the Commission.

3. Scope

These Guidelines cover the application process, payment process and other matters related to the levying of an administrative fee for certain functions performed by the Commission.

4. Background

4.1. The Minister issued regulations under section 59 of the Act prescribing administrative fees to be levied for the processing of applications for functions performed by the Commission.

4.2. The purpose of the levying of administrative fees is to allow for the recovery of the administrative costs the Commission incurs in carrying out its functions under the Act, in terms of other legislation, trade agreements or other agreements with a regulatory authority or organ of state, or as directed by the Minister.

4.3. The Guidelines should be read and understood together with the Administrative Fees Regulations, the Act, the Import Control Regulations and the Export Control Regulations.

5. Fee basis, increases, exemptions and refunds

5.1. The amount of an administrative fee is related to the processing cost of an application plus any associated overhead costs. Specifically, an administrative fee is based, in general, on the number of Commission officials processing an application and the time spent processing it. Additionally, where the Commission incurs overhead costs, typically for verifying information provided by an applicant, such costs are also included in the calculation of an administrative fee.

5.2. An administrative fee will be levied once an application is submitted on the ITAC electronic permit system, in accordance with the fees schedule attached as **Annexure A**. An applicant seeking exemption from the payment of an administrative fee must first submit an exemption request, together with supporting reasons in terms of paragraph 5.5. If the exemption is granted, no administrative fee shall be payable in respect of that application. If the exemption is refused, the applicable administrative fee must be paid before the application can be successfully submitted and processed.

5.3. In light of the unique nature of import and export control permit applications, an application for an import permit or an export permit, other than a permit for waste and scrap metal, may incur multiple administrative fees depending on the number of tariff lines for which permits are to be issued. This reflects the fact that import and export permits are issued per tariff subheading contained in an application. For example, if an application for the importation of fish subject to import control contains ten (10) tariff subheadings for which ten (10) import permits are to be issued, the corresponding fee will be the fee set forth in **Annexure A** multiplied ten times (10).

5.4. The administrative fees set forth in **Annexure A** may be adjusted from time to time in terms of Regulation 8 of the Administrative Fees Regulations. Increases in any given year will not exceed the maximum of the Headline Consumer Price Index for the year prior to the adjustment unless the Minister decides on a higher increase in terms of Regulation 8(2) of the Administrative Fees Regulations. An adjustment of an administrative fee in terms of the above will be effective on 1 April of any year, unless a different effective date is indicated by the Commission. Should administrative fees be adjusted, a revised fees schedule will be published by the Commission through a publication in the Government Gazette and on its official website no later than one (1) month before the adjusted fees are to come into effect.

5.5. In terms of Regulation 5 of the Administrative Fees Regulations, the Commission may exempt an applicant or certain categories of applicants from the payment of an administrative fee for good cause or because the Commission deems an exemption to be in the public interest. In determining good cause or the public interest, the following provides an overview of some of the factors that the Commission may consider:

5.5.1. Good cause: As provided for in Regulation 5(2) of the Administrative Fees Regulations, establishing good cause for an exemption entails a detailed review of the applicant's identity and the nature of the good in question. Specifically –

(i) The identity of the applicant: consideration will be given to whether the applicant is -

- An entity operating for purposes such as education, health, social services, environmental protection or community development. This includes entities such as non-profit organisations in terms of the Companies Act, 2008 (Act No. 71 of 2008). Such entities are typically not engaged in profit-generating activities and should be contributing to the public benefit.

- A person acting in a non-commercial capacity: This includes individuals or organisations whose activities are not intended for commercial gain. Examples might include:
    - Researchers or academic institutions applying for permits or certificates related to educational or scientific matters;
    - Humanitarian groups importing goods for aid or disaster relief;
    - Private individuals moving household or personal property because of relocation, inheritance or for other non-commercial reasons.

(ii) Nature of the good: The exemption must also be justified based on the characteristics and intended use of the good, such as:

- Goods intended to further a public purpose, such as medical supplies for public hospitals or educational materials for schools;

- Goods with minimal or no commercial value, such as items not intended for sale, including samples, promotional materials, used personal items, or obsolete equipment intended for donation or educational use; or

- Household or personal property.

5.5.2. Public interest: Establishing that an exemption is in the public interest, in terms of Regulation 5(3) of the Administrative Fees Regulations, requires an assessment of, amongst other factors, the broader economic and social impact that the levying of an administrative fee may have. In evaluating the public interest, the following provides an overview of some of the factors that the Commission may consider:

(i) The effect on industrial sectors or regions and whether the payment of a fee may have a disproportionately negative effect on emerging or strategic industries or underdeveloped or economically vulnerable regions; or

(ii) Whether an exemption may facilitate the participation of small, medium or micro enterprises, start-ups or previously disadvantaged individuals or groups in economic activity.

5.6. An exemption granted under the good cause or public interest provisions shall apply only to and be valid for the period reflected on the specific permit, authorisation, or other function for which it was granted, unless earlier revoked by the Commission. Any subsequent application shall require a separate exemption request and determination by the Commission.

5.7. The Commission may revoke an exemption granted in terms of paragraph 5.5 if –

5.7.1. the exemption was granted on the basis of materially incorrect, false, or misleading information provided by the applicant;

5.7.2. the circumstances which gave rise to the granting of the exemption have materially changed, and the applicant no longer qualifies for the exemption;

5.7.3. the applicant has failed to comply with any condition attached to the exemption; or

5.7.4. the applicant has abused or misused the exemption in a manner inconsistent with its purpose.

5.7.5. required to by any prevailing and applicable legislation.

5.8. Before revoking an exemption, the Commission shall provide written notice of its intention to revoke the exemption and a reasonable opportunity to make representations, which will be communicated in writing.

5.9. An administrative fee is non-refundable after payment thereof.

6. Applications for permits and certificates subject to the payment of an administrative fee

6.1. The Commission may, unless an exemption is requested and granted in terms of paragraph 5, levy an administrative fee for the processing of an application for the following authorisations:

(a) an import or export permit;
(b) a tariff amendment in the form of a rebate or drawback permit or certificate;
(c) a PRC or equivalent certificate under the APDP;
(d) an EPC or equivalent certificate under the APDP;
(e) a CSP certificate or equivalent certificate under the APDP; and
(f) any other permit or certificate that the Commission may issue from time to time.

7. Additional information on the payment of an administrative fee

This section provides additional information about the payment of an administrative fee in terms of paragraphs 6.1(a) and (b).

7.1. Import and Export Control

As a general rule, goods that are subject to import or export control require the payment of an administrative fee. Conversely, goods that are not subject to import or export control, are not subject to the payment of an administrative fee. For ease of reference, paragraphs 7.1.2–7.1.5 distinguish between goods that do and do not require permits under the relevant Regulations. It should be noted that in the event of an inconsistency between these Guidelines and the Import Control Regulations or the Export Control Regulations, the Regulations will take precedence.

7.1.1. The following goods are not subject to import control by ITAC under the Import Control Regulations and may therefore be imported into the Republic without the payment of an administrative fee:

(a) new and used or second-hand goods landed for transit through the Republic;

(b) new and used or second-hand goods (excluding firearms and ammunition, pneumatic tyres, tyre casings and used or second-hand motor vehicles) imported as household or personal effects for the personal use of a South African citizen returning to the Republic or by a person entering the Republic for purposes of either permanent or temporary residence, whether or not such a person qualifies for importation of the above-mentioned goods under rebate of duty in terms of Schedule 4 to the Customs and Excise Act;

(c) (i) new and used or second-hand goods imported from the Republic of Botswana, the Kingdom of Lesotho, Republic of Namibia or the Kingdom of eSwatini which are grown, produced or manufactured in the Republic of Botswana, Kingdom of Lesotho, Republic of Namibia or the Kingdom of eSwatini; provided that the above shall not be interpreted to include new goods which are subject to the Import Control Regulations, used or second-hand goods imported from outside the Common Customs Area, goods manufactured from used or second-hand goods imported from outside the Common Customs Area and used or second-hand vehicles manufactured in the Republic exclusively for export to foreign markets outside the Common Customs Area;

(ii) new goods imported from Malawi that are grown, produced or manufactured in Malawi; provided that the above shall not be interpreted to include new goods which are subject to the Import Control Regulations, used or second-hand goods and goods manufactured from used or second-hand goods imported from outside Malawi;

(iii) new goods imported from Zimbabwe that are grown, produced or manufactured in Zimbabwe; provided that the above shall not be interpreted to include new goods which are subject to the Import Control Regulations, used or second-hand goods and goods manufactured from used or second-hand goods imported from outside Zimbabwe;

(d) (i) new spares, sub-assemblies and materials imported as original equipment for the manufacture of motor vehicles;

(ii) new spares and sub-assemblies imported for the maintenance of motor vehicles, but excluding tyres;

(iii) all other new spares for all goods which are not subject to import control measures, but excluding tyres;

(e) new and used or second-hand goods exported from the Republic for repair or maintenance and returned to the original exporter in the Republic;

(f) new and used or second-hand empty containers originally containing goods exported from the Republic and returned to the original exporter in the Republic;

(g) new and used or second-hand goods warehoused in Customs and Excise warehouses for delivery as ship's stores and goods warehoused in duty free shops;

(h) new and used or second-hand goods imported by heads of States, diplomatic and other foreign representatives in terms of rebate item 406 of Schedule 4 of the Customs and Excise Act;

(i) new and used or second-hand goods imported in terms of rebate items 409.01, 409.02 or 409.04 of Schedule 4 of the Customs and Excise Act;

(j) new and used or second-hand goods excluding used or second-hand motor vehicles imported in terms of rebate item 412.03 or 412.04 of Schedule 4 to the Customs and Excise Act;

(k) new and used or second-hand abandoned goods imported into the Republic and abandoned in terms of rebate item 412.07 of Schedule 4 of the Customs and Excise Act;

(l) new and used or second-hand goods imported in terms of rebate items 470.02 or 470.03 of Schedule 4 of the Customs and Excise Act;

(m) new and used or second-hand goods imported in terms of rebate item 480.00 or 490.00 of Schedule 4 to the Customs and Excise Act; and

(n) goods referred to in Schedule 4 of the Import Control Regulations.

7.1.2. The following are some of the goods subject to import control by ITAC under the Import Control Regulations and are therefore subject to the payment of an administrative fee. These goods include, but are not limited to the following: fish; crustaceans; molluscs; radioactive chemical elements; new and used pneumatic tyres; fossil fuels; chemicals listed in the 1988 United Nations Convention Against Illicit Trade in Narcotic Drugs and Psychotropic Substances; arms and ammunition; gambling devices and used goods (for example, used electronic equipment, used medical equipment, used aircraft and all waste and scrap metal).

7.1.3. The following goods are not subject to export control by ITAC under the Export Control Regulations and may be exported from the Republic without the payment of an administrative fee:

(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 temporarily or 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 African 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 Act exported to any Member State of the SACU.

(g) goods in Schedule 4B of the Export Control Regulations –

(i) exported to a private individual under a medical prescription;

(ii) exported for clinical trials; or

(iii) exported to SACU Member States.

7.1.4. The following are some of the goods subject to export control by the Commission under the Export Control Regulations and are therefore subject to the payment of an administrative fee. These goods include, but are not limited to the following: tiger's eye and sugilite; some types of ores; fossil fuels; some types of wood; waste and scrap paper; waste and scrap metal; used and second-hand vehicles; some types of gases and some types of chemicals.

7.2 Rebate and drawback permits and certificates

7.2.1 In general, an administrative fee is payable for a rebate or drawback permit or certificate.

7.2.2 Notwithstanding paragraph 7.2.1, the following rebate items are not subject to an administrative fee considering the purpose they serve:

7.2.2.1 Rebate item 405.04 (donated goods);

7.2.2.2 Rebate item 412.11 (goods imported for the relief of distress or persons in cases of famine or other natural disaster, under any technical assistance agreement or in terms of any multilateral international agreement to which the Republic is a party);

7.2.2.3 Rebate item 460.03/0207.14.9/01.07: Frozen meat of the species Gallus domesticus, cut in pieces with bone in and imported from or originating in the United States of America, in such quantities, at such times and subject to such conditions as ITAC may allow by specific permit on recommendation of the Director General: The Department of Agriculture (DoA).

7.2.2.4 Rebate items 460.03/0207.12/01.06, 460.03/0207.14.1/01.07, 460.03/0207.14.2/01.07 and 460.03/0207.14.9/02.07: Meat and edible offal, of fowls of the species Gallus domesticus, not cut in pieces, frozen, in such quantities, at such times and subject to such conditions as the ITAC may allow by specific permit after consultation with the Director General: The DoA, for the duration of a shortage of chicken as a result of an outbreak of highly pathogenic avian influenza in South Africa;

7.2.2.5 Rebate item 460.17/87.00/04.02: Motor vehicles principally designed for the transport of physically disabled persons, including station wagons (excluding racing cars), adapted or to be adapted to be used for the transport of physically disabled persons at such times and under such conditions as the International Trade Administration Commission after consultation with the National Council for Persons with Physical Disabilities in South Africa, may allow by specific permit.

7.2.2.6 Rebate item 460.17/87.03/02.04: Motor cars and other motor vehicles principally designed for the transport of persons, including station wagons (excluding racing cars), adapted or to be adapted to be driven solely by a physically disabled person, at such times and under such conditions as the International Trade Administration Commission, after consultation with the National Council for Persons with Physical Disabilities in South Africa, may allow by specific permit.

It should be noted that certain of the aforementioned rebate provisions may not currently be in effect or are temporary rebates.

8. Other functions subject to the payment of an administrative fee

8.1 Notwithstanding anything to the contrary, the Commission may, from time to time, introduce other functions to be made subject to the payment of an administrative fee.

8.2 Prior to the levying of an administrative fee in terms of paragraph 8.1, the Commission will publish a notice in the Government Gazette to provide interested parties an opportunity to comment.

8.3 After consideration of any comments, the Commission may levy an administrative fee in an amount as determined by the Commission in terms of paragraph 5.1.

B. PROCEDURES

9. Application process

If an administrative fee is not payable, the current (normal) application process will not change. However, if an administrative fee is payable, in addition to the current application process, the payment process described in the paragraph 10 below must be followed.

10. Payment of an administrative fee

10.1. Timing and mode of payments

Payment of the applicable administrative fee shall be made upon application for a permit, authorisation, or other function, through the ITAC electronic permit system via the secure payment gateway. The application will only be successfully submitted once the payment transaction has been approved.

10.2. Bank charges

An applicant is responsible for any bank charges as the full fee amount must reflect in the Commission's account.

11. General enquires

For general information related to the levying of fees, interested parties may contact the Policy and Research Division at ITAC, at **adminfees@itac.org.za**

ANNEXURE A:
SCHEDULE OF ADMINISTRATIVE FEES

This schedule sets forth the administrative fees payable in terms of the Administrative Fees Regulations for the processing of applications by the Commission. The fees are subject to change and it is the responsibility of applicants to determine the current fee amount.

FEES SCHEDULE

Processing of an application for:	Processing fee for each application submitted to the Commission (VAT exempt):
• Import permit	R 339*
• Export permit	R 339*
• Waste and scrap metal permit	R 3 797
• EPC	R 2 242
• PRC	R 5 608
• CSP	R 5 327
• Rebate permit or certificate	R 4 454
• Drawback permit or certificate	R 4 454

*Import and export permit applications may incur multiple fees depending on the number of tariff subheadings associated with any request for such authorisations.