

In terms of section 75 of the Customs and Excise Act, 1964, Part 2 of Schedule No. 4 to the said Act is hereby amended, with effect from 1 January 2014, to the extent set out in the Schedule hereto.

DEPUTY MINISTER OF FINANCE

SCHEDULE

By the insertion of the following:

Rebate Item	Tariff Heading	Rebate Code	CD	Description	Extent of Rebate
460.23	00.00	02.00	08	Goods free of duty, imported or cleared from a customs and excise warehouse for the exploration for or production of petroleum as contemplated in the notes to this item	Full duty

By the substitution of the following:

Rebate Item	Tariff Heading	Rebate Code	CD	Description	Extent of Rebate
460.23				<p><b>GOODS IMPORTED OR CLEARED FROM A CUSTOMS AND EXCISE WAREHOUSE FOR THE EXPLORATION FOR PETROLEUM OR PRODUCTION OF PETROLEUM AS CERTIFIED BY THE DIRECTOR-GENERAL: MINERAL RESOURCES</b></p> <p><b>NOTES:</b></p> <p>1. Goods imported or cleared from a customs and excise warehouse by a person who is certified by the Director-General: Mineral Resources [or the Chief Executive Officer of the agency designated in terms of section 70 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)] -</p> <p>(a) to be a person who, in the Republic (including the territorial waters and the continental shelf of the Republic) -</p> <p>(i) explores for petroleum in terms of an exploration right issued in terms of section 80 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002);</p> <p>(ii) produces petroleum in terms of a production right issued in terms of section 84 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002); or</p> <p>(iii) is a contractor of any person referred to in paragraph (a)(i) or (a)(ii);</p> <p>(b) subject to the approval of the said Director-General [or the Chief Executive Officer of the agency designated in terms of section 70 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)], is a person (including, if a company, any subsidiary of such company) referred to in paragraph (a)(i) or (a)(iii) who supplies such goods directly to any person or to any contractor or any person referred to in paragraph (a)(ii), for use in the manufacture of any equipment, installation or device, for use solely in operations in connection with the exploration for, or production of petroleum, and except for the purposes of item 02.00, in such quantities and at such times as the International Trade Administration Commission, may allow by specific permit, excluding -</p> <p>(i) distillate fuels, residual fuel oil and biodiesel;</p>	

By the substitution of the following: (continued)

Rebate Item	Tariff Heading	Rebate Code	CD	Description	Extent of Rebate
				<p>(ii) goods for the personal use of any person; and</p> <p>(iii) goods for use in the exploration or processing of any product other than petroleum as defined in the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002).</p> <p>Provided that -</p> <p>for the purposes of paragraph (b), the person entering such goods under rebate of duty shall be liable for the duty rebated, unless he or she proves that such goods -</p> <p>(aa) have been supplied and used in the manufacture of the equipment, installation or device which has been delivered to the person referred to in paragraph (a)(ii); or</p> <p>(bb) have been exported within a period of six months from the date the operations contemplated in Note 1(b) have been completed; or</p> <p>(cc) on request by the importer, and subject to the permission of the Commissioner, have been entered for home consumption and payment of duty or have been abandoned or destroyed in terms of item 412.07 of this Schedule.</p> <p>2. Notwithstanding the Notes to Schedules Nos. 3 and 4, "full duty" where it appears in the "Extent of Rebate" column opposite rebate item 460.23 means goods free of duty as contemplated in section 75A.</p>	
460.23	00.00	01.00	03	Goods (excluding goods free of duty as contemplated in section 75A) imported or cleared from a customs and excise warehouse for the exploration for or production of petroleum as contemplated in the notes to this item	Full duty less the duty in Section B of Part 2 of Schedule No. 1