

(DRAFT: 19 June 2019 for publication for external comment)

Note that the consequential amendments will before Gazetting be incorporated into the main draft

**AMENDMENTS CONSEQUENTIAL TO THE PROPOSED AMENDMENTS TO THE
RULES UNDER SECTIONS 59A AND 60**

Substitution of rule 19.01

1. The following rule is hereby substituted for rule 19.01:

“[Approval] Licensing of customs and excise warehouses

19.01 An application [**form**] for the licensing of a customs and excise warehouse shall be completed in all details and shall be [**accompanied**] supported by such plans (signed and dated by the applicant), description of the warehouse or other particulars as may be required.”.

Amendment of rule 19.02

2. Rule 19.02 is hereby amended by the substitution for the words preceding paragraph (a) of the following words:

“19.02 Application for the licensing of a customs and excise warehouse may be made to the [**Controller**] Commissioner in respect of – ”.

Amendment of rule 19A.02

3. Rule 19A.02 is hereby amended by –

- (a) the substitution for subparagraph (i) of paragraph (a) of the following subparagraph:

“(i) apply in accordance with rule 60.01A(b)(ii) [**on form DA185 and the appropriate annexures thereto**] and must comply with all the requirements specified [**therein,**] on form DA 185 and the relevant annexure, in these rules, any relevant section or item of Schedule No. 8 governing such licences, any requirement specified in Schedule No. 6 and any additional requirements that may be determined by the Commissioner;”;

- (b) the deletion of subparagraph (ii) of paragraph (b); and

(c) the deletion of paragraph (c).

Substitution of rule 21.03.08

4. The following rule is hereby substituted for rule 21.03.08:

“21.03.08 Any person or any licensee of any special customs and excise storage warehouse who intends operating an export storage warehouse must apply for a licence in accordance with rule 60.01A(b)(ii) [on form DA 185 and the appropriate annexure].”.

Amendment of rule 21.04.03

5. Rule 21.04.03 is hereby amended by the substitution for subparagraph (i) of paragraph (a) of the following subparagraph:

“(i) apply for a special customs and excise storage warehouse licence in accordance with rule 60.01A(b)(ii) [on form DA 185 and the appropriate annexure thereto] and must comply with all the requirements specified [therein,] on form DA 185 and the relevant annexure, in these rules, any relevant section or item of Schedule No. 8 governing such licences and any additional requirements that may be determined by the Commissioner.”.

Amendment of rule 21A.04

6. Rule 21A.04 is hereby amended by the substitution for subparagraph (i) of paragraph (b) of the following subparagraph:

“(i) A[n] person operating an SEZ [operator may] must [apply on] by submitting to the Commissioner form DA185 and the [appropriate] relevant annexures in accordance with rule 59A.01A(b)(i)(bb) apply –
(aa) for registration; and
(bb) for an area to be designated as a CCA.”.

Amendment of rule 21A.08

7. Rule 21A.08 is hereby amended by the substitution for subparagraph (i) of paragraph (a) of the following subparagraph:

“(i) Every CCA enterprise must, depending on the requirements in respect of the particular activity or premises, be registered or licensed in accordance with [the provisions of the Act] rule 59A.01A(b)(i)(bb) or rule 60.01A(b)(ii), as the case may be, by submission of [on a] form DA 185 and the [appropriate] relevant annexure.”.

Amendment of rule 21A.09

8. Rule 21A.09 is hereby amended by –

(a) the substitution for subparagraph (i) of paragraph (a) of the following subparagraph:

“(i) **[Whenever any of the particulars furnished in any application for registration or a licence changes in any material way,]** The registered person or licensee, as the case may be, shall advise the Commissioner in accordance with rule 59A.05(1) or rule 60.05(2) of any change in circumstances as contemplated in that rule, or in accordance with rule 59A.08(2) or 60.07(2)(a) of any change in particulars furnished in the application for licensing [within seven days from the date of the occurrence of such event by submitting a completed application form DA185 and the appropriate annexure reflecting the changed particulars.]”;

(b) the deletion of subparagraph (ii) of paragraph (a); and

(c) the substitution for subparagraph (iv) of paragraph (a) of the following subparagraph:

“(iv) **[On approval of the application for the changed particulars,]** The Commissioner may issue a new registration or licence in respect of such change.”.

Substitution of rule 35.01

9. The following rule is hereby substituted for rule 35.01:

“35.01 Rules 19.01 to 19.06 shall *mutatis mutandis* apply to the **[approval]** licensing and conduct of any special customs and excise warehouse for the manufacture of wine.”.

Amendment of rule 36A.01

10. Rule 36A.01 is hereby amended by the substitution for the words preceding paragraph (a) of the following words:

“Every manufacturer of excisable goods specified in Section B of Part 2 of Schedule No. 1 and every owner of such goods manufactured for him partly or wholly from materials owned by such owner shall apply to the **[Controller]** Commissioner in accordance with rule 60.01A(b)(ii) **[on a form DA 185 and the relevant annexure]** for the licensing of **[his]** such premises as a special customs and excise warehouse. The application **[These forms, duly completed,]** shall be **[accompanied]** supported by –”.

Substitution of rule 36A.02

11. The following rule is hereby substituted for rule 36A.02:

“**36A.02** Any such licensee shall notify the **[Controller]** Commissioner **[immediately, or in advance, of any change, or contemplated change in his legal identity, the name under which the trades or his registered address. In such event the licensee shall furnish the Controller with a form DA 185 and the relevant annexure, duly completed, together with the original licence issued by the Controller of Customs and Excise.]** in accordance with rule 60.05(2) of any change in circumstances as contemplated in that rule, or in accordance with rule 60.07(2)(a) of any change in particulars furnished in the application for licensing.

Amendment of rule 37A.11

12. Rule 37A.11 is hereby amended by the substitution for paragraph (a) of the following paragraph:

“(a) Any person referred to in section 37A(7)(b)(ii) and any other person who uses marked goods, or marked goods mixed with or contaminated by other goods, for mixing or blending with other goods in the production of goods not capable of use as fuel in any engine, for own use or sale or disposal in any manner whether or not for any consideration, shall register in accordance with rule 59A.01A.(b)(i)(bb) as a producer of such goods, and no person shall so mix or blend such goods for such use, sale or disposal unless so registered.”.

Amendment of rule 37.12

13. Rule 37A.12 is hereby amended by the substitution for subparagraph (iii) of paragraph (a) of the following subparagraph:

“(iii) such person is registered in accordance with rule 59A.01A.(b)(i)(bb) where the quantity so mixed exceeds 2500 litres at any one time.”.

Amendment of rule 37A.13

14. Rule 37A.13 is hereby amended by the substitution for subparagraph (ii) of paragraph (a) of the following paragraph:

“(ii) if any such person who supplies fuel to aircraft, other than the licensee of a customs and excise warehouse, is registered in accordance with rule 59A.01A.(b)(i)(bb) as a supplier of aviation kerosene to aircraft (whether or not for supply to own aircraft).”.

Repeal of rule 37A.15

15. Rule 37A.15 is hereby repealed.

Amendment of rule 37B.02

16. The following rule is hereby substituted for rule 37B.02:

“Any person who manufactures biodiesel on the date these rules come into operation or intends manufacturing biodiesel must **[apply on form DA 185 and the appropriate annexures]**–

(a) if he or she qualifies as a non-commercial manufacturer of biodiesel, apply for registration as a non-commercial manufacturer of biodiesel in accordance with rule 59A.01A(b)(i)(bb) **[in terms of section 59A and the rules thereto]; or**

(b) if he or she is a commercial manufacturer of biodiesel, apply–

(i) for registration as a commercial manufacturer of biodiesel in accordance with rule 59A.01A(b)(i)(bb) **[in terms of section 59A and the rules thereto]; and**

(ii) in accordance with rule 69.01A(b)(ii) for licensing of his or her manufacturing premises as a customs and excise manufacturing

warehouse for the commercial manufacture of biodiesel in Category 1 or 2 as contemplated in rule 37B.16.”.

Amendment of rule 37B.04

17. Rule 37B.04 is hereby amended by the substitution for paragraph (b) of the following paragraph:

“(b) The provisions of rule 19A.02(a) shall apply *mutatis mutandis* to an [A]application for such a licence [must be made on form DA 185 and the relevant annexure, and the provisions of rule 19A.02(a) shall apply *mutatis mutandis* to such an application].”.

Amendment of rule 38A.03

18. Rule 38A.03 is hereby amended by –

(a) the substitution for paragraph (a) of the following paragraph:

“(a) licensing of a special customs and excise storage warehouse must be submitted in accordance with rule 60.01A(b)(ii); or”; and

(b) the substitution for paragraph (b) of the following paragraph:

“(b) registration as a registered user for the purposes of electronic communication in accordance with section 101A and the rules made thereunder, must be made **[on form DA 185 and the relevant annexure]** in accordance with rule 59A.01A(b)(i)(bb); or”.

Substitution of rule 39.08

19. The following rule is hereby substituted for rule 39.08:

“**39.08** The clearer shall, before any bill of entry is delivered to the place indicated by the Controller, insert in the field provided therefor[**e**] the customs and excise client number issued to the clearing agent, importer or exporter, as the case may be. **[Application for such a number shall be made to the Office on a form DA 185 (Application form: Licensing / Registration of Customs and Excise Clients) and the applicable annexure(s), and any subsequent change or contemplated change of any of the particulars furnished or a request for cancellation of such client number shall be reported on such form.]**”.

Amendment of rule 46A1.03

20. Rule 46A1.03 is hereby amended by –

(a) the substitution for paragraph (a) of the following paragraph:

“(a) Every exporter and manufacturer of textile and apparel articles for the purposes of the AGOA shall be registered **[and shall submit a completed form DA 185 together with]** in accordance with rule 59A.01A(b)(i) and rule 59A.01A(b)(i)(bb) respectively, and –

(i) in the case of the exporter, a completed Annexure DA 185.4A2 **[and exporter’s application for registration (DA 46A1.02 incorporated in Section A thereof)]** or the corresponding screen or page of the electronic application must be submitted;
and

(ii) in the case of the manufacturer, a completed Annexure DA 185.4A4 **[and manufacturer’s application for registration (DA 46A1.03 incorporated in Section A thereof)]** must be submitted.”;

(b) the substitution for paragraph (b) of the following paragraph:

“(b) If the exporter is also the manufacturer of the goods concerned **[both the] forms [DA 46A1.02 (incorporated in Section A of Annexure] DA 185.4A2[]]** or the corresponding screen or page of the electronic application and **[DA 46A1.03 (incorporated in Section A of Annexure] DA 185.4A4[]]** must be completed.”; and

(c) the substitution for paragraph (c) of the following paragraph:

“(c) If submitted in paper format, the completed and signed application shall be submitted to the manager responsible for the administration of the rules of origin section in Head Office, to whom the powers under section 46A(6) are delegated.”.

Amendment of rule 46A3.05

21. Rule 46A3.05 is hereby amended by the substitution for paragraph (a) of the following paragraph:

- “(a) every exporter and producer of GSP goods shall be registered **[and shall submit to the Commissioner a completed form DA 185 and the relevant annexure]** in accordance with rule 59A.01A(b)(i) and rule 59A.01A(b)(i)(bb) respectively, and in the case of –
- (i) an exporter, a completed Annexure DA 185.4A2 **[and exporter’s application for registration (DA 46A1.02 incorporated in Section C thereof)]** or the corresponding screen or page of the electronic application must be submitted;
and
 - (ii) a producer, a completed Annexure DA 185.4A7 must be submitted;”.

Amendment of rule 46A4.04

22. Rule 46A4.04 is hereby amended by –

(a) the substitution for paragraph (a) of the following paragraph:

- “(a) every exporter and producer of GSP goods shall be registered in accordance with rule 59A.01A(b)(i) and rule 59A.01A(b)(i)(bb) respectively, and **[shall submit to the Commissioner a completed form DA 185 and the relevant annexure]** in the case of –
- (i) an exporter, a completed Annexure DA 185.4A2 **[and exporter’s application for registration (DA 46A.01 incorporated in Section C thereof)]** or the corresponding screen or page of the electronic application must be submitted;
and
 - (ii) a producer, Annexure DA 185.4A7 must be submitted;”.

Amendment of rule 46A5A.04

23. Rule 46A5A.04 is hereby amended by –

(a) the substitution for paragraph (a) of the following paragraph:

- “(a) For the purposes of section 46A(6) and section 59A–
- (i) every exporter and producer of GSP goods must be registered in accordance with rule 59A.01A(b)(i) and rule 59A.01A(b)(i)(bb)

respectively, and **[must submit to the Commissioner a completed form DA 185 and the relevant annexure]** in the case of –

(aa) an exporter, Annexure DA 185.4A2 **[and form DA 46A.01 incorporated in Section C thereof]** or the corresponding screen or page of the electronic application must be submitted;

(bb) a producer, Annexure DA 185.4A7 **[and form DA 46A.02 incorporated in Section A thereof]** must be submitted;”;
and

(b) by the substitution for item (bb) of paragraph (d)(i) of the following item:

“(bb) be registered as contemplated in rule 46A5A.04 and produce for this registration the documents specified in **[section 13 of]** form DA 185 or in the electronic application;”.

Amendment of rule 46A5A.16

24. Rule 46A5A.16 is hereby amended by the substitution for item (bb) of paragraph (c)(ii) of the following item:

“(bb) the exporter, who exports a consignment of originating goods of an export value not exceeding, NOK 60 000, must state the registration number issued when registered **[on form DA 185]** as contemplated in rule 46A5A.04(a)(i).”.

Amendment of rule 49A.01

25. Rule 49A.01 is hereby amended by the substitution for subparagraph (i) of paragraph (f) of the following subparagraph:

“(i) every exporter and producer of goods to be exported to any of the member states of the European Union shall be registered in accordance with rule 59A.01A(b)(i) and rule 59A.01A(b)(i)(bb) respectively, and **[shall submit to the Commissioner a completed form DA 185 and the relevant annexure]** in the case of –

- (aa) an exporter, Annexure DA 185.4A2 or the corresponding screen or page of the electronic application must be submitted;
- (bb) a producer, Annexure DA 185.4A7 must be submitted;”.

Amendment of rule 49A.20 (24,25)

26. Rule 49A.20 (24, 25) is hereby amended by the substitution for paragraph (c) of the following paragraph:

- “(c) Application for approved exporter status must be made in accordance with rule 59A.01A(b)(i) [on forms DA 185], and Annexure DA 185.4A2 [and DA 49A.02] or the corresponding screen or page of the electronic application must be submitted.”.

Amendment of rule 49A.48.03

27. Rule 49A.48.03 is hereby amended by the substitution for item (aa) of paragraph (a)(ii) of the following item:

- “(aa) approved exporter status is granted on application in accordance with rule 59A.01A(b)(i), and submission of annexure [form] DA 185. 4A2 and [Annexure DA 49.02] or the corresponding screen or page of the electronic application must be submitted; and”.

Amendment of rule 49B.01

28. Rule 49B.01 is hereby amended by the substitution for subparagraph (i) of paragraph (f) of the following subparagraph:

- “(i) every exporter and producer of goods to be exported to any of the member states of the Southern African Development Community shall be registered in accordance with rule 59A.01A(b)(i) and rule 59A.01A(b)(i)(bb) respectively, and **[shall submit to the Commissioner a completed form DA 185 and the relevant annexure]** in the case of –
 - (aa) an exporter, Annexure DA 185.4A2 or the corresponding screen or page of the electronic application must be submitted;

(bb) a producer, Annexure DA 185.4A7 must be submitted;”.

Amendment of rule 49D.01

29. Rule 49D.01 is hereby amended by the substitution for paragraph (f) of the following paragraph:

“(f) Registration of exporter

For the purposes of section 49(6) and section 59A -

[(a)](i) every exporter and producer of goods to be exported to any of the member states of the EFTA shall be registered in accordance with rule 59A.01A(b)(i) and rule 59A.01A(b)(i)(bb) respectively, and **[shall submit to the Commissioner a completed form DA 185 and the relevant annexure]** in the case of –

[(i)](aa) _____ an exporter, Annexure DA 185.4A2 or the corresponding screen or page of the electronic application must be submitted;

[(ii)](bb) _____ a producer, Annexure DA 185.4A7 must be submitted;

[(b)](ii) if the exporter is also the producer of the goods concerned, application for registration as exporter, as well as a producer, must be so submitted.”.

Amendment of rule 49D.18 (19), (22)

30. Rule 49D.18 (19), (22) is hereby amended by the substitution for paragraph (b) of the following paragraph:

“(b) Application for approved exporter status must be made **[on the DA 185 form and its relevant Annexures]** in accordance with rule 59A.01A(b)(i).”.

Amendment of rule 49E.01

31. Rule 49E.01 is hereby amended by the substitution for subparagraph (i) of paragraph (f) of the following subparagraph:

“(i) every exporter and producer of goods to be exported to any of the member states of the MERCOSUR shall be registered in accordance with rule 59A.01A(b)(i) and rule 59A.01A(b)(i)(bb) respectively, and **[shall submit to the Commissioner a completed form DA 185 and the relevant annexure]** in the case of–

(aa) an exporter, Annexure DA 185.4A2 or the corresponding screen or page of the electronic application must be submitted;

(bb) a producer, Annexure DA 185.4A7 must be submitted;”.

Amendment of rule 54F.04

32. Rule 54F.04 is hereby amended by –

(a) the substitution for subparagraph (i) of paragraph (a) of the following subparagraph:

“(i) apply in accordance with rule 60.01A(b)(ii) [on form DA 185 and the appropriate annexures thereto] and must comply with all the requirements specified **[therein,]** on form DA 185 and the relevant annexure, in these rules, any relevant section or item of Schedule No. 8 governing such licences and any additional requirements that may be determined by the Commissioner;”;

(b) the deletion of subparagraph (ii) of paragraph (b); and

(c) the deletion of paragraph (c).

Amendment of rule 54FA.03

33. Rule 54FA.03 is hereby amended by the substitution for subparagraph (i) of paragraph (b) of the following subparagraph:

“(i) apply in accordance with rule 60.01A(b)(ii) [on form DA 185 and the relevant annexure thereto] and must comply with all the requirements specified **[therein,]** on form DA 185 and the relevant annexure, in these rules, any relevant section or item of Schedule No. 8 governing

such licences and any additional requirements that may be determined by the Commissioner;”.

Amendment of rule 54FA.04

34. Rule 54FA.04 is hereby amended by the substitution for the words in paragraph (a) preceding subparagraph (i) of the following words:

“(a) Every person who generates electricity and is not required to license his or her generation plant as contemplated in rule 54FA.03 must register in accordance with rule 59A.01A(b)(i)(bb) **[on form DA 185 and the appropriate annexure thereto]** if electricity is generated from–”.

Amendment of rule 54I.03

35. Rule 54I.03 is hereby amended by the substitution for paragraph (a) of the following paragraph:

“(a) Any person who manufactures sugary beverages **[on the date these rules come into operation]** or intends manufacturing sugary beverages must apply **[on form DA 185 and the appropriate annexures]** –

- (i) if he or she qualifies as a non-commercial manufacturer, for registration as a non-commercial manufacturer of sugary beverages in accordance with rule 59A.01A(b)(i)(bb) **[in terms of section 59A and the rules thereto]**; or
- (ii) if he or she is classified as a commercial manufacturer, for licensing of his or her manufacturing premises as a customs and excise manufacturing warehouse for the commercial manufacture of sugary beverages in accordance with rule 60.01A(b)(ii).”.

Substitution of rule 62.01

36. The following rule is hereby substituted for rule 62.01:

“**62.01** Application by an agricultural distiller for a licence to keep a still or to distil, shall be made to the **[Controller]** Commissioner in accordance with rule 60.01A(b)(ii) **[on the prescribed form]**.”.

Amendment of rule 63.01

37. Rule 63.01 is hereby amended by the substitution for –

(a) paragraph (a) of the following paragraph:

“(a) in accordance with rule 60.01A(b)(ii) apply **[on form DA 185 and the appropriate annexure]** for a licence to manufacture or import stills for sale or to repair stills for reward;” and

(b) paragraph (b) of the following paragraph:

“(b) immediately on manufacture or importation by him of any still, apply in accordance with rule 59A.01A(b)(i)(bb) **[on form DA 185 and the appropriate annexure]** to register such still;”.

Substitution of rule 63.02

38. The following rule is hereby substituted for rule 63.02:

“63.02 Every person who owns, possesses or keeps a still shall in accordance with rule 60.01A(b)(ii) apply for a license **[on form DA 185 and the appropriate annexure]**, unless such still is used solely for distilling water or any other purpose for which a licence is not required.”.

Amendment of rule 63.04

39. Rule 63.04 is hereby amended by the substitution for paragraph (c) of the following paragraph:

“(c) apply in accordance with rule 59A.01A(b)(i)(bb) **[on form DA 185 and the appropriate annexure]** to register such still; and”.

Substitution of rule 64.01

40. The following rule is hereby substituted for rule 64.01:

“**64.01** Application for a licence to manufacture wine in a special customs and excise warehouse shall be made to the **[Controller]** Commissioner in accordance with rule 60.01A(b)(ii) **[on the prescribed form]**.”.

Substitution of rule 64A.01

41. The following rule is hereby substituted for rule 64A.01:

“64A.01 Application for a licence to operate a container depot shall be made to the **[Controller]** Commissioner in accordance with rule 60.01A(b)(ii) **[on the prescribed form]**”.

Amendment of rule 64B.01(1,2,3,4)

42. Rule 64B.01(1,2,3,4) is hereby amended by the substitution for item (aa) of paragraph (a)(i) of the following item:

“(aa) apply in accordance with rule 60.01A(b) on form DA 185 or the electronic application and the relevant annexure or the corresponding screen or page of the electronic application, as the case may be and comply with all the requirements specified therein and in the rules and any additional requirements that may be determined by the Commissioner;”.

Substitution of rule 64C.01

43. The following rule is hereby substituted for rule 64C.01:

“64C.01 Application for a licence to search wreck or to search for wreck shall be made to the Commissioner in accordance with rule 60.01A(b)(ii). **[to the nearest Controller on the prescribed form]**”.

Substitution of rule 64C.04

44. The following rule is hereby substituted for rule 64C.04:

“64C.04 Unless searching operations are commenced three months from the date of issue of the licence or if the licensee fails to comply with any of the conditions stated on such licence the licence may be cancelled or suspended in terms of section 60(2)(b) of the Act.”.

Amendment of rule 64D.01(1,3)

45. Rule 64D.01(1,3) is hereby amended by –

(a) the substitution for subparagraph (i) of paragraph (c) of the following subparagraph:

“(i) apply in accordance with rule 60.01A(b) on form DA 185 or the electronic application and the relevant annexure or the corresponding screen or page of the electronic application, as the case may be, and

comply with all the requirements specified therein, in section 64D and these rules and any additional requirements that may be determined by the Commissioner;”;

(b) the substitution for subparagraph (ii) of paragraph (c) of the following subparagraph:

“(ii) except in the case of a **[foreign principal]** remover in bond not located in the Republic, as contemplated in the rules under section 60, submit with the application the completed agreement in accordance with the pro forma agreement specified in these rules; **[(substituted by Notice R.102 published in Government Gazette 35027 dated 10 February 2012)]**”; and

(c) the substitution for paragraph (d) of the following paragraph:

“(d) A **[foreign principal]** remover in bond not located in the Republic must when applying for licensing in terms of paragraph (c) [–

[(i) apply on form DA 185 and the appropriate annexure for licensing in respect of the activity for which licensing is required; and

(ii)] nominate a person to act as registered agent by submitting the information in respect of that agent as may be required on form DA 185.D or the corresponding screen or page of the electronic application, as the case may be; and”.

Amendment of rule 64D.03(1)

46. Rules 64D.03(1) is hereby amended by the substitution–

(a) in paragraph (a) for paragraph (v) of the definition of “consignor” of the following paragraph:

“(v) any registered agent nominated by and acting on behalf of a **[foreign principal]** remover in bond not located in the Republic **[as contemplated in the rules for section 59A; (subparagraph (v) inserted by Notice R.102 published in Government Gazette 35027 dated 10 February 2012)]**; and

(b) for subparagraph (i) of paragraph (c) of the following subparagraph:

“(i) Any reference in these rules to **[“foreign principal”,]** “located in the Republic”, and “registered agent”, shall, with the necessary changes, have the meaning assigned thereto in rule 59A.01.”.

Amendment of rule 64D.10(5)

47. Rule 64D.10(5) is hereby amended by the substitution for paragraph (d) of the following paragraph:

- “(d) **[(i)]** Whenever any particulars regarding the legal status or address of the remover in bond whose liabilities are secured under the security provided change in any manner whatsoever, such remover shall immediately –
- (aa) **[advise the Controller]** notify the Commissioner in accordance with rule 60.05(2) of any change in circumstances as contemplated in that rule, or in accordance with rule 60.07(2)(a) of any change in particulars furnished in the application for licensing, and;
 - (bb) provide such supporting documents **[addendums to the Controller]** as may be required; and
 - [(cc) substitute the security where appropriate;]**
 - [(dd)](cc)** comply with such requirements and directions as the Controller may issue in respect of security.”.

Amendment of rule 64F.02

48. Rule 64F.02 is hereby amended by –

- (a) the substitution for subparagraph (i) of paragraph (a) of the following subparagraph:

“(i) apply in accordance with rule 60.01A(b)(ii) **[on form DA 185 and the appropriate annexure thereto]** and must comply with all the requirements specified **[therein,]** on form DA 185 and the relevant annexure, in these rules, any relevant section or item of Schedule No. 8 governing such licences, any requirement specified in Schedule No. 6 and any additional requirements that may be determined by the Commissioner;”;
- (b) the substitution for subparagraph (iv) of paragraph (b) of the following subparagraph:

“(iv) A licensed distributor must notify the Commissioner in accordance with rule 60.05(2) of any change in circumstances as contemplated in that rule, or in accordance with rule 60.07(2)(a) of any change in particulars furnished in the application for licensing, and [whenever any particulars regarding the legal status or address of the licensed distributor change in any manner whatsoever, such distributor] shall [**immediately**] –

[(aa) advise the Controller;

(bb)(aa) provide such supporting documents **[addendums to the Controller]** as may be required;

[(cc) substitute the security where appropriate;

(dd)(bb) comply with such requirements and directions as the Controller may issue in respect of security.”; and

(c) The deletion of subparagraph (ii) of paragraph (c).

Amendment of rule 64G.03

49. Rule 64G.03 is hereby amended by –

(a) the substitution for paragraph (c) of the following paragraph:

“(c) Any applicant for a licence or renewal of a licence must apply in accordance with rule 60.01A(b)(ii) **[on form DA64G.01]** and comply with all the requirements contemplated in section 64G(1)(b).”; and

(b) the deletion of subparagraph (ii) of paragraph (d).

Amendment of rule 64G.04

50. Rule 64G.04 is hereby amended by –

(a) the substitution for subparagraph (i) of paragraph (a) of the following subparagraph:

“(i) pay any [the prescribed] licence fee that may be prescribed;”

(b) the deletion of subparagraph (ii) of paragraph (a); and

(c) the deletion of paragraph (b).

Amendment of rule 64G.06

51. Rule 64G.06 is hereby amended by –

(a) the substitution for subparagraph (i) of paragraph (a) of the following subparagraph:

“(i) **[Whenever any of the particulars furnished in any application for a licence changes in any material way, t]**The licensee shall advise the Commissioner in accordance with rule 60.05(2) of any change in circumstances as contemplated in that rule, or in accordance with rule 60.07(2)(a) of any change in particulars furnished in the application for licensing [within 7 days from the date of the occurrence of such event by submitting a completed application form DA64G.01 reflecting the changed particulars.]

(b) the deletion of subparagraph (ii) of paragraph (a); and

(c) the substitution for paragraph (c) of the following paragraph:

“(c) **[On approval of the application,]** The Commissioner [will] ~~may~~ issue a new licence in respect of such change.”.

Substitution of rule 64G.11

52. The following rule is hereby substituted for rule 64G.11:

“[Submission of reports required in terms of section 8 and] Electronic communication

[(a) A degrouping operator must register in terms of section 8 for the purpose of submission of any cargo report required to be submitted in terms of that section and its rules.

(b)] For the purpose of electronic communication **[with the Commissioner, the Controller or an officer as]** contemplated in section 101A, **[including any report referred to in paragraph (a),]** **[the]** a degrouping operator must register as a user in accordance with rule 59A.01A(b)(i)(bb) and enter into a user agreement as prescribed in **[the said]** section 101A and its rules.”.

Amendment of rule 101A.02(3)

53. Rule 101A.02(3) is hereby amended by the substitution for subparagraph (i) of paragraph (a) of the following subparagraph:

- “(i) submit the application in accordance with rule 59A.01A(b)(i)(bb) apply on form DA 185 and the relevant annexure thereto and comply with all the requirements specified therein, in section 101A and these rules and any additional requirements that may be determined by the Commissioner;”.

Amendment of rule 116.01

54. Rule 116.01 is hereby amended by the substitution for paragraph (a) of the following paragraph:

- “(a) A manufacturer of excisable goods who manufactures such goods solely for the purpose of own use by that manufacturer, as contemplated in section 116, must–
- (i) apply in accordance with rule 59A.01A(b)(i)(bb) **[on form DA 185 and the appropriate annexure]** for registration as such a manufacturer [in terms of section 59A and the rules thereto]; and
 - (ii) for purposes of distillation, apply in accordance with rule 60.01A(b)(ii)**[on form DA 185 and the appropriate annexure]** for a licence to own, possess or keep a still **[in terms of] as contemplated in** section 63 and the rules thereto.”.