

DONATIONS: DONATED GOODS – DONATED MEDICINES

In terms of rebate item 405.04 of the 4th Schedule of the Customs & Excise Act, provision does exist for goods (excluding foodstuffs and clothing) forwarded free, as a donation to any educational organisation, hospital (including a clinic) welfare, religious or sporting organisation.

It is also subject to an undertaking by the applicant and anybody responsible for the distribution of the goods that:

- such goods are for use by the organisation or for free distribution;
- such goods will not be sold, leased, hired or otherwise disposed of for gain without the prior approval of the Board on Tariffs and Trade and without the duty which has been rebated being paid to the Commissioner for SARS;
- and that no donation or other counter performance may be accepted by anybody in respect of such goods.

- *Donated goods*

Before the South African Customs Administration may allow donated goods to be cleared without the payment of customs duties and taxes, the South African recipient of such goods must apply for certain documents from the under-mentioned authorities and thereafter, submit these documents to Customs to enable the correct customs clearance to be processed:

- Specific Permit (rebate permit) issued in terms of the provisions of rebate item 405.04 to Schedule No. 4 of the Customs and Excise Act. This permit must be obtained from:
The International Trade Administration Commission (ITAC) of South Africa, Private Bag X753, Pretoria, 0001. Mr. Coert Grobbelaar: Tel: +27 (0) 12 394 3672 and Fax: (012) 394 4672 – E-mail: Cgrobbelaar@itac.org.za
- Import Permit issued in terms of the provisions of the Import and Export Control Act From the International Trade Administration Commission (ITAC),
Private Bag X192, Pretoria, 0001. Tel: +27 (0) 012- 394 3617 or +27 (0) 12- 394 3610 Please note that when a specific permit is applied for in terms of the mentioned rebate item and granted by the ITAC, **THERE IS NO NEED TO APPLY FOR AN IMPORT PERMIT as well. However, when the goods are free of customs duty i.e. no import duties applicable an import permit must be applied for. The Value-Added Tax will still be exempt by virtue of the following:**
- written permission to have goods subject to value-added tax (VAT) zero-rated on import effective exemption from payment of VAT in terms of the provisions of note 5 to the VAT Act. Obtained from the South African Revenue Service, Division: VAT, Private

Bag X923, Pretoria, 0001. Tel: +27 (0)12 422 40 00 (general line) or +27 (0)12 422 51 66 - Fax: +27 (0)12 422 51 94.

- ***Donated medicines***

The same applies as for donated goods but additional information concerning the importation of medicines, including donated medicines must be obtained from the Medicines Control Council, Dept of Health, Private Bag X828, Pretoria, 0001. +27 (0)12 395 8000, fax +27 (0)12 395 9019

www.doh.gov.za – links – national links: Medicines Control council

SOUTH AFRICAN CUSTOMS ADMINISTRATION

Any customs related enquiries may be made to the South African Customs Administration at the following number +27 (0) 12 422 4000 or alternatively you are advised to contact the Customs Call Centre on customs.gry.wc@sars.gov.za or customs.gry.cc@sars.gov.za