## **REPUBLIC OF SOUTH AFRICA**

## CUSTOMS AND EXCISE AMENDMENT BILL

(As introduced in the National Assembly (proposed section 75); explanatory summary of Bill and prior notice of its introduction published in Government Gazette No. 42216 of 5 February 2019) (The English text is the official text of the Bill)

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(MINISTER OF FINANCE)



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#### **GENERAL EXPLANATORY NOTE:**

[	]	Words in bold type in square brackets indicate omissions from existing enactments.
	_	Words underlined with a solid line indicate insertions in existing enactments.

# BILL

To amend the Customs and Excise Act, 1964, so as to make provision for the administration and collection of carbon tax revenues; and to provide for matters connected therewith.

 ${f B}^{E}$  IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

### Insertion of section 54AA in Act 91 of 1964

**1.** The following section is hereby inserted in the Customs and Excise Act, 1964, after section 54A:

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#### "Provisions relating to carbon tax

**54AA.** For the purposes of the administration and collection of carbon tax revenues as contemplated in section 54A—

- (a) (i) any reference to the Carbon Tax Act, 2019, in this Act must be regarded as including the Tables and Schedules to that Act and any regulation made in terms of that Act;
  - (ii) a word or expression in this Act to which a meaning has been assigned in the Carbon Tax Act, 2019, has the meaning so assigned, unless the context indicates otherwise;
- (b) the allowances and limitation of allowances prescribed in the Carbon Tax Act, 2019, must be administered as rebates, refunds or drawbacks, as may be applicable, in terms of this Act;
- (c) a taxpayer as defined in the Carbon Tax Act, 2019, must in terms of section 54E license any premises on which emissions as defined in the Carbon Tax Act, 2019, occur, in a manner and subject to requirements as may be prescribed by rule; and
- (d) any administrative actions, requirements and procedures for purposes of submission and verification of accounts, collection and payment of carbon tax as an environmental levy or the performance of any duty, power or obligation or the exercise of any right must, to the extent not prescribed in the Carbon Tax Act, 2019, be prescribed by the Commissioner by rule.".