

**DEPARTMENT OF TRADE AND INDUSTRY
NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION
ACT, 1993**

No. R. 1025

9 October 2001

**NOTICE - DECLARATION OF CERTAIN GOODS AS CONTROLLED GOODS AND
THE DETERMINATION OF CONTROL MEASURES APPLICABLE TO SUCH GOODS**

1. Under section 13 of the Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993) (the Act), and on the recommendation of the South African Council for the Non-Proliferation of Weapons of Mass Destruction established under section 4 of the Act (the Council), I, Alec Erwin, Minister of Trade and Industry, hereby -
 - (a) declare that any item of equipment, technology, materials, chemicals, biological agents and toxins, production facilities or components thereof-
 - (i) appearing nominally on a list or lists of goods declared to be controlled goods in terms of section 13(1) of the Act, but whose specifications fall outside the range of specifications stipulated in the said list or lists; or
 - (ii) not appearing nominally on a list or lists of goods declared to be controlled goods in terms of section 13 (1) of the Act, to be controlled goods;shall be deemed to be controlled goods if I in consultation with the Council determine that such an item is or may be intended, in its entirety or in part, for use in the development, production, handling, operation, maintenance, storage or dissemination of chemical or biological warfare agents or of nuclear weapons or of missiles capable of delivering such weapons;
 - (b) determine that the import, export, re-export and transit of the goods so deemed to be controlled goods shall take place only under a permit issued by the Council.
2. The Council shall in writing inform any person in control of an item contemplated in paragraph 1(a), that the item is deemed to be controlled in terms of this notice and the person in control shall be obliged to register with the Council, if he or she has not already done so and to comply with any other requirements as specified in the Act as though the item had been included in the list or lists of controlled goods from the outset.

3. Notice No. 455 of 27 March 1997 is hereby repealed.

4. Any application or document or anything else pertaining thereto, which is required in terms of this notice to be submitted to the Council shall:
 - (a) when forwarded by post, be addressed to -
The Secretariat,
South African Council for the Non-Proliferation of Weapons of Mass
Destruction,
Private Bag X 084
Pretoria
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 - (b) when delivered by hand, be delivered to -
The Secretariat,
South African Council for the Non-Proliferation of Weapons of Mass
Destruction,
Fedlife Building,
corner Prinsloo and Church Streets,
Pretoria

A ERWIN
Minister of Trade and Industry.