

**THE SECOND-HAND GOODS STANDARD OPERATING PROCEDURE**  
**Processing notification to limit / vary Dealer / Recycler conditions**

**1. INTRODUCTION**

- 1.1 In terms of Section 9 of the Act, the National Commissioner may limit or vary any or all of the conditions of registration if there is a change in the circumstances of a registered dealer requiring a limitation or variation.
- 1.2 Before limiting or varying any of the conditions of registration, the National Commissioner must give the dealer written notice of his or her intention to limit or vary the conditions of registration, give the dealer 30 days to submit written representations as to why the conditions should not be limit or varied.
- 1.3 The National Commissioner must notify the dealer in writing of any decision taken under this section and state the reasons for and the date on which the decision takes effect in such notice.

2. PROCESS FLOW: NOTIFICATION TO LIMIT / VARY DEALER CONDITIONS

### 3. APPLICATION PROCEDURE

The Application Procedure as depicted in Diagram 6(Process Flow: Cancel Dealer / Recycler registration), will be explained in the following manner:

- Every process step (block) is alphabetically numbered and individually explained

#### 3.1 “A” – COMPLETE RETURN OF SERVICE DOCUMENT

PROCESS EXECUTION
The DSO must complete a Return of Service in preparing for the delivery of the Notice for Termination of Registration.



RESPONSIBLE PERSON(S)
<ul style="list-style-type: none"><li>• Designated Second-Hand Goods Officer (DSO)</li></ul>



GOVERNANCE
<p><b>Section 36 of the Act – Return of Service</b></p> <p><i>“36 A document that is signed by a police official indicating that the service was effected in accordance with section 35(1) is, upon production in a court, prima facie evidence of service of the document.”</i></p>



APPLICABLE DOCUMENTATION
<p>The SAPS 606 – Return of Service must be completed as per the relevant Completion Instructions.</p> <p>SAPS 606 Proforma (<b>Annexure ....</b>)</p> <p>SAPS 606 Completion Instructions (<b>Annexure .....</b>)</p>



## SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.2 “B” – SERVE NOTIFICATION ON THE DEALER/RECYCLER REGARDING THE INTENTION TO LIMIT/VARY THE DEALER/RECYCLER CONDITIONS

**PROCESS EXECUTION**

The DSO must hand deliver the Notice of Intention to limit/vary the Dealer/Recycler Conditions to the Dealer/Recycler.



**RESPONSIBLE PERSON(S)**

- Designated Second-Hand Goods Officer (DSO)



**GOVERNANCE**

Section 35(1) of the Act - Service of documents

*“35(1) The manner of service of a notice or other document to be served on or given to a person in terms of this Act may be prescribed.”*

Paragraph 5.6.5.3 of National Instruction 1/2013: Second-Hand Goods

*“The notice must be served on the applicant, dealer or recycler by the DSO in person and the Return of Service (confirmation that the notice was served) must be filed in the relevant Z20 Dealers File. The applicable columns of the SAPS 603 and SHG System must be updated accordingly. The SAPS 603 Register must be completed as per the relevant Completion Instructions.”*



### APPLICABLE DOCUMENTATION

The SAPS 606 – Return of Service must be completed as per the relevant Completion Instructions.

SAPS 606 Proforma (**Annexure ....**)

SAPS 606 Completion Instructions (**Annexure .....**)



### SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



### 3.3 “C” – RESPONSIBLE PERSON SIGN RETURN OF SERVICE

#### PROCESS EXECUTION

The applicable Dealer/Recycler must acknowledge receipt of served documents by signing the Return of Service.



#### RESPONSIBLE PERSON(S)

- Second-Hand Goods Dealer/Recycler
- Designated Second-Hand Goods Officer (DSO)



#### GOVERNANCE

Section 36 of the Act – Return of Service

***“36. A document that is signed by a police official indicating that the service was effected in accordance with section 35(1) is upon production in a court prima facie evidence of service of the document.”***



#### APPLICABLE DOCUMENTATION

The SAPS 606 – Return of Service must be completed as per the relevant Completion Instructions.

SAPS 606 Proforma (**Annexure ....**)

SAPS 606 Completion Instructions (**Annexure .....**)



#### SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



### 3.4 “D” – FILE RETURN OF SERVICE

#### PROCESS EXECUTION

The DSO files the completed return of service document (SAPS 606) in the Z20 Dealers/Recyclers file.



#### RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



#### GOVERNANCE

Paragraph 5.6.5.3 of National Instruction 1/2013: Second-Hand Goods

*“The notice must be served on the applicant, dealer or recycler by the DSO in person and the Return of Service (confirmation that the notice was served) must be filed in the relevant Z20 Dealers File. The applicable columns of the SAPS 603 and SHG System must be updated accordingly. The SAPS 603 Register must be completed as per the relevant Completion Instructions.”*



#### APPLICABLE DOCUMENTATION

The SAPS 606 – Return of Service must be completed as per the relevant Completion Instructions.

SAPS 606 Proforma (**Annexure ...**)

SAPS 606 Completion Instructions (**Annexure .....**)



#### SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).

