

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION**NOTICE 3763 OF 2026****NATIONAL REGULATOR FOR COMPULSORY SPECIFICATIONS ACT, 2008 (Act 5 of 2008), AS AMENDED THROUGH LEGAL METROLOGY ACT (Act 9 of 2014)****PROPOSED AMENDMENT OF THE COMPULSORY SPECIFICATION FOR PRESERVATIVE TREATMENT OF TIMBER**

It is hereby made known under section 13(4) of the National Regulator for Compulsory Specifications Act, (Act 5 of 2008) that the Minister of Trade, Industry and Competition, intends to amend **VC 9092**, *the Compulsory Specification for the preservative treatment of timber*, as set out in the attached Schedule.

Any person, who wishes to comment on the intention of the Minister to thus amend the Compulsory Specification concerned, shall submit their comments, in writing, to the Chief Executive Officer, National Regulator for Compulsory Specifications, Private Bag X25, Brooklyn, 0075, email:Theresa.Stoltz@nrsc.org.za, on or before the date two (2) months after the publication of this notice.



Mr Mpho Marks Tau, MP

Minister of Trade, Industry and Competition

26/01/2026

SCHEDULE

VC 9092, COMPULSORY SPECIFICATION FOR THE PRESERVATIVE TREATMENT OF TIMBER

1. SCOPE

This Compulsory Specification covers the requirements for the preservative treatment of timber to protect it from, and prevent the spread of destructive factors or agents.

2. NORMATIVE REFERENCES

- 2.1** This Compulsory Specification incorporates dated or undated references, provisions from other publications that are mandatory for its context and application. Some of these references are cited at the appropriate places in the text and others indicate Legislation and Regulations that are generally applicable.
- 2.2** For dated references, subsequent amendments to or revisions of any of these publications apply to this Compulsory Specification only when incorporated in it by amendment or revision. For undated references, the latest edition of the publication referred to applies.
- 2.3** The following documents are mandatory for the context and application of this Compulsory Specification:
- 2.3.1** National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008), as amended through the Legal Metrology Act (Act no. 9 of 2014).
- 2.3.2** Regulations in terms of section 36 of the National Regulator for Compulsory Specifications Act, 2008 published in Government Notice No. R. 924 (Government Gazette No. 33615) of 15 October 2010;
- 2.3.3** Regulations relating to the gazettement of levy periods as amended published in Government Notice No. R. 101 (Government Gazette No. No. 38479) of 20 February 2015;
- 2.3.4** The latest amendment of Regulations Relating to the payment of levies and fees with regard to Compulsory Specifications under section 14(3)(b) of National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008);

2.3.5 Legal Metrology Act, 2014 (Act No.9 of 2014) and applicable Regulations;

2.3.6 The NRCS's Conformity Assessment Policy (NRCS- CPO 112);

2.3.7 SANS 1288, *Preservative-treated timber*;

2.3.8 SANS 17065: *Conformity assessment — Requirements for bodies certifying products, processes and services.*

3. ABBREVIATED TERMS

3.1 CAB : Conformity Assessment Body

3.2 NRCS: National Regulator for Compulsory Specifications

3.3 SANS: South African National Standard

4. DEFINITIONS

The definitions in **SANS 1288**, as well as the following, apply for the purposes of this Compulsory Specification:

4.1 Applicant

a manufacturer or importer of Preservative treated timber and that is an established legal entity within the Republic of South Africa.

4.2 Approval

confirmation by the NRCS through the issuance of a Letter of Authority certificate in accordance with Annexure A of this Compulsory Specification, that a particular manufacturing facility satisfies the requirements of this Compulsory Specification.

4.3 Claims of preservative treatment of timber

Any written, pictorial, visual, or other descriptive matter or verbal statement, communication, representation, or reference brought to the attention of the public in any manner including a trade name or brand name stating or implying that a piece of timber has been Preservative treated.

4.4 Conformity Assessment Body (CAB)

An accredited third-party certification body appointed by a manufacturer or importer to assess the conformity of preservative-treated timber against the requirements of this Compulsory Specification, and recognised by the Regulator in terms of the NRCS's Conformity Assessment Policy.

4.5 Conformity of production

satisfactory proof that preservative-treated timber offered for sale continues to conform to the requirements of this Compulsory Specification.

4.6 Importer

an established legal entity within the Republic of South Africa that imports preservative-treated timber.

4.7 Preservative treated timber

timber that has been preserved to render it less susceptible to destruction by fungi, insects or marine borers.

4.8 Letter of Authority (LOA) certificate

as defined in section 1 of the National Regulator for Compulsory Specifications Act of 2008 (Act No. 5 of 2008) as amended through the Legal Metrology Act (Act no. 9 of 2014); and issued in accordance with Annexure A of this Compulsory Specification.

4.9 Manufacturer

an entity that produces Preservative treated timber.

4.10 Misrepresentation of preservative treatment of timber

Any misleading claim that a piece of timber is Preservative treated timber as defined in this Compulsory Specification, including the staining of timber to create the impression that it has undergone preservative treatment.

4.11 Regulator

The National Regulator for Compulsory Specifications as established by the National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008) as amended by Legal Metrology Act, 2014 (Act No.9 of 2014).

4.12 Type of treated timber

A category of preservative-treated timber that does not differ in such essential respects as:

- a)** Hazard class (level of exposure);
- b)** Timber preservative treatment process; and
- c)** Type of Preservative.

5. GENERAL REQUIREMENTS

- 5.1** A manufacturer or importer may not claim preservative treatment of timber unless the type of preservative-treated timber complies with the requirements of this compulsory specification.
- 5.2** No one may misrepresent preservative-treated timber in any manner. Any product that gives an impression of being Preservative treated timber or is claimed to be Preservative treated timber must comply with the requirements of this compulsory specification.
- 5.3** A manufacturer or importer must appoint a certification body recognised by the Regulator in terms of its conformity assessment policy to verify the initial compliance and ongoing conformity of production of preservative-treated timber with the requirements of this compulsory specification.
- 5.4** The Regulator shall only recognise CABs where there is evidence of conformity meeting its requirements.
- 5.5** A manufacturer or an importer must apply in accordance with Annexure A of this Compulsory Specification for the approval of a manufacturing facility before such treated timber is sold or supplied when certification has been issued by the appointed CAB.
- 5.6** For the period while manufacturing facilities are in the process of obtaining the required certification by a CAB, and intend to sell the product produced under consignment inspection approval by the CAB, the manufacturing facility must apply for an experimental type approval permit in accordance with Annexure B of this Compulsory Specification.
- 5.7** The manufacturer and/or importer must conduct routine conformity of production tests in accordance with Annexure C of this Compulsory Specification and provide the Regulator with satisfactory evidence of conformity of production upon request.
- 5.8** The manufacturer and/or importer must immediately report any failure to conform to the requirements of the Compulsory Specifications, of whatever nature, to the Regulator.
- 5.9** The manufacturer or importer who has been granted a Letter of Authority (Holder of the approval) in terms of Annexure A of this Compulsory Specification must satisfy the requirement as set out in Regulation 2 relating to the payment of fees in the form of levies as published by Government Notice no R. 924 (Government Gazette no. 33615) of 15 October 2010.

6. SPECIFIC REQUIREMENT

Preservative-treated timber must comply with SANS **1288**, *Preservative treated timber*.

7. REQUIREMENTS FOR MARKINGS

Preservative treated timber shall be marked in accordance with:

- a) the appropriate standard as set out in clause 6 of this compulsory specification; and
- b) the mark of conformity of the CAB.

8. TRANSITIONAL PROVISIONS

- 8.1 For the purposes of this Compulsory Specification, a new edition of a referenced SANS shall become effective six (6) months from the date of publication unless declared otherwise by Minister.
- 8.2 The requirements of a new edition of a referenced standard in this compulsory specification shall become effective twelve (12) months from the date of publication as a SANS for those manufacturing facilities for the preservative treatment of timber that were approved in accordance with the requirements of the previous edition of the referenced standard.
- 8.3 The Letters of Authority (LOA) Certificates that were issued by the National Regulator for Compulsory Specifications (NRCS) for approved manufacturing facilities for the preservative treatment of timber in accordance with **VC 9092**, *the Compulsory Specification for treated timber*, published by Government Notice No. R. 380 (Government Gazette No.32067) of 3 April 2009 shall expire in five (5) years from the date of publication of this Compulsory Specification.

**ANNEXURE A
(NORMATIVE)**

**APPLICATION FOR APPROVAL OF MANUFACTURING FACILITIES FOR THE
PRESERVATIVE TREATMENT OF TIMBER**

A1. APPLICATION FOR APPROVAL

- A1.1** A manufacturer or an importer must apply for the approval for the manufacturing facility for the preservative treatment of timber before the products are imported, sold or supplied in the market.
- A1.2** The application must include the following information:
- A1.2.1** Details of the manufacturing facility for which approval is sought (name of the facility, physical location, contact details, etc.);
 - A1.2.2** Details of the type (s) of preservative-treated timber that is produced in the facility;
 - A1.2.3** A certification document that was issued by a CAB in accordance with the requirements of **SANS 17065**, demonstrating that the manufacturing facility complies with the requirements of the SANS 1288 as stipulated in clause 6 of this Compulsory Specification. The CAB must satisfy the requirements of NRCS Corporate Policy No. NRCS-CPO 112;
 - A1.2.4** Details of the control measures in place in the manufacturing facility to ensure ongoing conformity with the requirements of the compulsory specification in accordance with Annexure C of this compulsory specifications;
 - A1.2.5** Description of the manufacturing process/s;
 - A1.2.6** Markings and other information to be placed on the Preservative treated timber, with a breakdown of codes used, where applicable;
 - A1.2.7** Details of chemicals used in the preservative treatment, their specifications, and derivation; and
 - A1.2.8** Any additional information relevant to the application for clarification purposes, as may be requested by the NRCS.

A1.3 An application for LOA must be accompanied by the relevant fee (s) required in accordance with the latest publication of the Regulations relating to the payment of levy and fees with regard to compulsory specifications as amended; published under section 14(3) (b) of the National Regulator for Compulsory Specifications Act, (Act 5 of 2008).

A2. APPROVAL

A2.1 The NRCS shall grant approval for an application submitted in accordance with A1 when satisfied that a manufacturing facility meets the requirements of this Compulsory Specification, and all applicable fees and levies have been paid in full.

A2.2 The NRCS shall assign a unique Approval Number to each manufacturing facility approved in accordance with Annexure E of this Compulsory Specification.

A2.3 The NRCS shall confirm the approval granted for compliance with the requirements of this VC by issuing to the Applicant a Letter of Authority certificate (LOA) bearing the unique Approval Number referred to in **A2.2** of this Compulsory Specification.

A2.4 The validity period of an LOA issued in accordance with **A2.3** of this Compulsory Specification shall be five consecutive years from the date of issue. The LOA shall expire or be rendered invalid immediately thereafter unless it is renewed with the Regulator in accordance with the requirements of item **A3.2** of this compulsory specification.

A2.5 The NRCS must communicate the reason(s) for the refusal of approval to the Applicant.

A2.6 The LOA certificate is the sole proof of approval by the Regulator.

A.3 RENEWAL OF LOA CERTIFICATES

A3.1 The approval granted by the NRCS in terms of **A2.3** shall be reviewed every five(5) years to confirm continued adherence to the prescribed approval conditions for the specific manufacturing facility.

A3.2 The Holder of approval must apply for the renewal of an LOA certificate at least three (3) calendar months prior to the date of the expiration of the current LOA certificate. The renewal application must include the following information as a minimum:

- i. The details of the Holder of the approval;

- ii. The description of the manufacturing facility;
- iii. The LOA numbers to be renewed; and
- iv. A valid product certification document as required by paragraph **A1.2.3** of this Compulsory Specification.

A3.3 The renewed LOA certificate issued in accordance with **A3.2** shall bear the same unique approval number that was assigned to the original (initial) LOA issued for the specific manufacturing facility in accordance with **A2.3** of this Compulsory Specification.

A4. MODIFICATION OR EXTENSION OF APPROVAL OF A MANUFACTURING FACILITY FOR THE PRESERVATIVE TREATMENT OF TIMBER

- A4.1** The Holder of an LOA must prior to implementation, apply for an extension approval to modify (change/amend) or extend information pertaining to the name of the manufacturing facility, the name and physical address of the Holder of the approval, the types of Preservative treated timber manufactured in the manufacturing facility, its product certification, its control of conformity of production and the markings that must appear on the preservative-treated timber as required by the applicable standard as set out in clause 6 of this compulsory specification when needed.
- A4.2** Any change in the Holder of the approval or the physical address of the manufacturing facility must require a new application for approval in accordance with the requirements of paragraph A1 of this compulsory specification.
- A4.3** The NRCS may require further evidence of conformity demonstrating compliance with this Compulsory specification.
- A4.4** Confirmation or refusal of approval specifying the modifications must be communicated by the procedure specified in **A2** of this Compulsory Specification.
- A4.5** The NRCS issuing the extension of approval must assign a series number for such an extension and inform thereof by means of an LOA certificate in the format in Annexure D to this Compulsory Specification.
- A4.6** The validity period of an LOA APPROVAL EXTENDED certificate must be the same as the one in the original (initial) LOA certificate that was issued for the manufacturing facility in accordance with **A2.3** of this Compulsory Specification.
- A4.7** The NRCS must communicate the reason(s) for the refusal of an extension of approval, where applicable.

A5. WITHDRAWAL OF APPROVAL

- A5.1** The approval granted in respect of a manufacturing facility pursuant to this compulsory specification may be withdrawn if the requirements in this compulsory specification are not met.
- A5.2** The NRCS shall withdraw the approval granted to a manufacturing facility in the event the Holder of the LOA fails to apply for the renewal of an LOA certificate, and thus the LOA expires or becomes invalid after the stated validity period by notifying the Holder of the concerned LOA of the withdrawal in writing.
- A5.3** If the NRCS applying this compulsory specification withdraws an approval it has previously granted, it must forthwith so notify thereof by means of a letter of authority conforming to the model in Annexure D to this compulsory specification.
- A5.4** The NRCS must inform the Applicant of the reason(s) for the withdrawal of the approval. The communication must also refer to the relevant offences and penalties as set out in section 34 of Act No. 5 of 2008.
- A5.5** Any LOA withdrawn in accordance with items **A5.1** or **A5.2** of this Compulsory Specification as applicable is non-renewable after the formal notice of withdrawal is issued. The manufacturer or importer may reapply for another LOA if still needed.

**ANNEXURE B
(NORMATIVE)**

EXPERIMENTAL TYPE APPROVAL PERMITS FOR PRESERVATIVE-TREATED TIMBER

B1. APPLICATION FOR A PERMIT FOR EXPERIMENTAL TYPE APPROVAL OF PRESERVATIVE-TREATED TIMBER

- B1.1** The Applicant shall apply to the Regulator for an experimental type approval permit in terms of section 14(5) of Act No. 5 of 2008 (hereinafter referred to as “a permit”) before the commencement of manufacturing of such preservative-treated timber by completing and submitting a prescribed application form that shall be obtained from the NRCS.
- B1.2** The application form shall include the following information: -
- B1.2.1** Details of the type of preservative-treated timber for which the permit is being sought and the standards (SANS) to which it will conform;
 - B1.2.2** Identification (name of the plant, physical location, contact details, etc.) of the manufacturing plant for which approval is sought;
 - B1.2.3** Evidence of the appointment of a Certification Body appointed in accordance with 5.3 of this Compulsory Specification i.e., a copy of the agreement with the certification body, a letter from the certification body confirming the appointment or any other document acceptable to the NRCS;
 - B1.2.4** Markings and other information to be printed on the preservative-treated timber.
 - B1.2.5** any additional information relevant to the application for clarification purposes, as may be requested by the NRCS.

B2. THE ISSUANCE OF THE PERMIT FOR EXPERIMENTAL TYPE APPROVAL PERMIT

- B2.1** The NRCS shall issue a permit for an application submitted in accordance with **B1** when satisfied that there are adequate arrangements to conduct conformity evaluation in the manufacturing facility for the requirements of this Compulsory Specification and that all applicable fees have been paid in full.
- B2.2** The NRCS shall issue a permit bearing a unique identification number and a validity period not exceeding a period of 12 months from the date the permit is issued to the manufacturing facility approved in terms **B2.1** of this Compulsory Specification.
- B2.3** The permit in accordance with B.2.2 shall be granted with the following conditions of issue: -
- B2.3.1** The permit is applicable only to the manufacturing facility as identified in it;
- B2.3.2** The permit is valid for the stated period and may not be extended;
- B2.3.3** The permit is issued without alterations and is only for use by the person to whom it is addressed and may not be given, sold, ceded and/or traded to any party;
- B2.3.4** Should a consumer complaint be received by the NRCS regarding the type of Preservative treated timber in respect of which the permit is granted and in the absence of acceptable corrective action, the NRCS reserves the right to revoke it with immediate effect;
- B2.3.5** Should the Applicant permit breach any of the conditions or terms stipulated and agreed upon in this document, including any other document involved within this process, the NRCS shall have the right to revoke the permit;
- B2.3.6** Records of all distributed Preservative treated timber that fall under the permit shall be maintained for traceability purposes and be made available to the NRCS upon request;
- B2.3.7** The permit does not cover modifications to the type of preservative-treated timber as identified in it. Any modifications to the type of preservative-treated timber itself, its label, and product information sheet shall be

formally notified accordingly to the NRCS prior to implementation. Such modifications shall require a new application for a permit;

B2.3.8 The Preservative treated timber produced shall comply with the compulsory specification except for the permitted non-conformity covered by the permit; and

B2.3.9 The Applicant to whom a permit is issued must perform the following duties:

- a) Submit all testing results as and when generated by the certification body;
- b) Provide samples when directed by the NRCS to verify compliance;
- c) Ensure that product certification is achieved within the period agreed with the NRCS; and
- d) Apply for approval in accordance with Annexure A of this Compulsory Specification before the validity period of the permit granted lapses; or submit an application for a new permit in the case where the permit expires before the achievement of product certification.

B2.4 The NRCS may impose any other additional condition to those in **B2.3** as may be necessary and relevant; to manage any other risk associated with the distribution or use of the product identified during the assessment of the application of the permit.

B3. WITHDRAWAL OF EXPERIMENTAL TYPE APPROVAL PERMIT

The NRCS may withdraw the permit granted to the Applicant for a facility that produces Preservative treated timber, granted in accordance with this Compulsory Specification, by notifying the Applicant in writing if the requirements have not been met or the approval conditions have not been maintained.

**ANNEXURE C
(NORMATIVE)**

CONFORMITY OF PRODUCTION AND ROUTINE TESTS

- C1.** Preservative treated timber must be so manufactured as to conform to the requirements prescribed in the applicable standard as set out in clause 6 of this compulsory specification.
- C2.** To verify that the conditions stated in paragraph B1 have been met, appropriate control of the production must be performed.
- C3.** The Holder of the approval is responsible for the conformity of production procedures, and must in particular:
- C3.1** Appoint a CAB to the satisfaction of the NRCS in accordance with the requirements of NRCS Corporate Policy No. NRCS-CPO 112. In accordance with the requirements of **SANS 17065**, the CAB must certify the compliance of the preservative-treated timber that is manufactured in the manufacturing facility with the requirements of the applicable standard as set out in clause 6 of this compulsory specification;
- C3.2** Ensure that the manufacturing facility has access to the testing equipment needed to inspect and test the conformity of each type of Preservative treated timber in accordance with the requirements of the applicable standard as set out in clause 6 of this compulsory specification;
- C3.3** Inspect and test each lot of preservative-treated timber for compliance with the requirements of the applicable standard as set out in clause 6 of this compulsory specification, or have each lot of preservative-treated timber inspected and tested for compliance with the requirements of the applicable standard as set out in clause 6 of this compulsory specification;
- C3.4** Record inspection and test results and ensure that such records remain available for a period of five (5) years; and

- C3.5** Isolate any lot/batch that shows non-conformity with the requirements of the applicable standard as set out in clause 6 of this compulsory specification is isolated to prevent the importation, sale, and supply of such a non-compliant lot/batch and that and implement corrective action to restore the conformity of the corresponding production is implemented and prevention of importation, sale, and supply of non-compliant Preservative treated timber.
- C4.** The NRCS may at any time verify the conformity control methods applied in each manufacturing facility:
- C4.1** At every inspection, the inspection and test records must be available to the visiting inspector.
- C4.2** When the level of control appears unsatisfactory, or when it seems necessary to check the validity of the inspections and tests carried out in application of paragraph **B3**, the inspector may inspect and test samples or select samples that will be sent to a CAB for inspection and testing.
- C4.3** In cases where unsatisfactory results are found during an inspection or test, the NRCS may withdraw the approval granted in respect of a manufacturing facility pursuant to this compulsory specification¹.

¹ Unsatisfactory results mean values exceeding L, where L is the limit value prescribed for each test.

ANNEXURE D
(Normative)

Letter of authority

(Maximum format: A4 (210 x 297 mm))

Issued by: Name of regulatory authority

.....

Concerning: ² APPROVAL GRANTED
APPROVAL EXTENDED
APPROVAL REFUSED³
APPROVAL WITHDRAWN⁴

of a manufacturing facility for the preservative treatment of timber pursuant to this compulsory specification.

Type approval No.: Extension No.:

Expiry date:

1. Manufacturing facility information:
 - 1.1 Facility name:
 - 1.2 Physical address:
 - 1.3 Identification mark of facility:
 - 1.4 Technical scope of preservative treatment of timber by the manufacturing facility:
2. Holder of the approval information:
 - 2.1 Holder of the approval name:
 - 2.2 SARS importers code:.....
 - 2.3 Address:
3. South African National Standards applicable to the type(s) of Preservative treated timber: ⁵.....
4. Approval granted/extended/refused/withdrawn ⁶
 - 4.1 Place:
 - 4.2 Date:
 - 4.3 Signature:
5. The following documents, bearing the approval number shown above, are attached to this letter of authority:

² Delete what does not apply.
³ The reason(s) for the refusal of an approval or extension of an approval must accompany the letter of authority.
⁴ The reason(s) for the withdrawal of an approval must accompany the letter of authority.
⁵ The number and the year date of the appropriate South African National Standard must be indicated.
⁶ Delete what does not apply.

ANNEXURE E

(Normative)

Arrangement of the approval number

Example of the arrangement of an approval number for a manufacturing facility for the preservative treatment of timber:

NRCS⁷/9092⁸/123456⁹/0072¹⁰

The above approval number assigned to a manufacturing facility shows that the manufacturing facility concerned has been approved under approval number NRCS/9092/123456/0072. The approval number shows that this approval was granted to company XYZ (whose customer number with the NRCS is 123456) with the unique sequential number 0072 for the manufacturing facility.

Note The use of Roman numerals as approval numbers should be avoided so as to prevent any confusion with other symbols.

⁷ Name of issuing organisation

⁸ The applicable Compulsory Specification

⁹ Unique customer number

¹⁰ Application sequential number