

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION
NOTICE 25 OF 2021
INTERNATIONAL TRADE ADMINISTRATION COMMISSION
CUSTOMS TARIFF APPLICATIONS
LIST 02/2021

The International Trade Administration Commission (herein after referred to as ITAC or the Commission) has received the following application concerning the Customs Tariff. Any objection to or comment on this representation should be submitted to the Chief Commissioner, ITAC, Private Bag X753, Pretoria, 0001. Attention is drawn to the fact that the rate of duty mentioned in this application is that requested by the applicant and that the Commission may, depending on its findings, recommend a lower or higher rate of duty.

CONFIDENTIAL INFORMATION

The submission of confidential information to the Commission in connection with customs tariff applications is governed by section 3 of the Tariff Investigations Regulations, which regulations can be found on ITAC's website at <http://www.itac.org.za/documents/R.397.pdf>.

These regulations require that if any information is considered to be confidential, then a non-confidential version of the information must be submitted, simultaneously with the confidential version. In submitting a non-confidential version the regulations are strictly applicable and require parties to indicate:

- Each instance where confidential information has been omitted and the reasons for confidentiality;*
- A summary of the confidential information which permits other interested parties a reasonable understanding of the substance of the confidential information; and*
- In exceptional cases, where information is not susceptible to summary, reasons must be submitted to this effect.*

This rule applies to all parties and to all correspondence with and submissions to the Commission, which unless clearly indicated to be confidential, will be made available to other interested parties.

The Commission will disregard any information indicated to be confidential that is not accompanied by a proper non-confidential summary or the aforementioned reasons.

If a party considers that any document of another party, on which that party is submitting representations, does not comply with the above rules and that such deficiency affects that party's ability to make meaningful representations, the details of the deficiency and the reasons why that party's rights are so affected must be submitted to the commission in writing forthwith (and at the latest 14 days prior to the date on which that party's submission is due).

Failure to do so timeously will seriously hamper the proper administration of the investigation, and such party will not be able to subsequently claim an inability to make meaningful representations on the basis of the failure of such other party to meet the requirements.

INCREASE IN THE RATE OF CUSTOMS DUTY ON:

“Dumpers designed for off-highway use: Other”, classifiable under tariff subheading 8704.10.90 from free of duty to 10% *ad valorem*, as follows:

APPLICANT:

Bell Equipment Company SA (Pty) Limited
13-19 Carbonode Cell Road
ALTON
RICHARDS BAY
3900

Enquiries: ITAC Ref: 19/2020, Enquires: Mr. Pfarelo Phaswana / Mr. Pardon Hadzhi, Tel: 012 394 3628/3634 or email pphaswana@itac.org.za/phadzhi@itac.org.za.

REASONS FOR THE APPLICATION:

The applicant submitted, *inter alia*, the following reasons for the application:

- The general economic decline and uncertainties that exist in South Africa and Sub-Saharan Africa make it difficult to maintain production volumes at a level where current facilities and work force is justified;
- The domestic industry has, over the years, lost its domestic market share to foreign OEMs are not subject to territorial and distribution restrictions and often have access to cheap export credit finance facilities from the importing countries;
- The loss of sales to importers has a negative impact on the employment levels across the value chain; and
- The imposition of a 10% import tariff will assist domestic manufacturers to be more price competitive, retain current jobs and provide an opportunities to capture additional market share and boast employment across the value chain.

PUBLICATION PERIOD:

Representation should be made within **four (4)** weeks of the date of this notice.