

DEPARTMENT OF TRADE AND INDUSTRY
NOTICE 492 OF 2017

INTERNATIONAL TRADE ADMINISTRATION COMMISSION
CUSTOMS TARIFF APPLICATIONS
LIST 07/2017

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 comments 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.

REVIEW OF REBATE ITEM 311.12/54.07/03.04 IN PART 1 OF SCHEDULE NO. 3, WHICH READS AS FOLLOWS:

Rebate Item	Tariff heading	Rebate Code	Description	Extent of Rebate
311.12	54.07	03.04	Woven fabrics of synthetic filament yarn, including woven fabrics obtained from materials of heading 54.04, of a mass exceeding 65 g/m ²	Full duty less the greater of 25% or 23c/m ²

(Note: The review is conducted with a view to either withdraw the rebate provision concerned or amend the extent of rebate to allow for the full rebate of the customs duty)

APPLICANT:

SOUTH AFRICAN REVENUE SERVICE (SARS)

Pretoria Head Office
299 Bronkhorst Street
Nieuw Muckleneuk
0181

For enquiries contact: Mr C Sako, Tel: (012) 394 3669, Email: csako@itac.org.za, or Ms T Morale, Tel: (012) 394 3694, Email: tmorale@itac.org.za

AN EXTRACT OF THE REASONS PROVIDED FOR THE REVIEW IS AS FOLLOWS:

“The extent of the rebate of customs duty applicable to this item in Schedule No. 3 is higher than the rate of duty applicable to the fabric classifiable under tariff heading 54.07 in Part 1 of Schedule No.1. As a general rule, rebates and refunds of customs duty in terms of any of the Schedules to the Act cannot exceed the duties payable and the anomaly created in rebate item 311.12 must, therefore, be rectified.”

Representation should be submitted to ITAC within four (4) weeks of the date of this notice.