
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

ECONOMIC DEVELOPMENT DEPARTMENT NOTICE 730 OF 2016

INTERNATIONAL TRADE ADMINISTRATION COMMISSION CUSTOMS TARIFF APPLICATIONS LIST 09/2016

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.

AN ERRANTUM TO AMEND THE WORDING FOR TARIFF SUB-HEADING 8704.21.75 AS PER PUBLICATION NOTICE NO. 1007 OF 2015, GOVERNMENT GAZETTE NO 39324; FOR A REDUCTION IN THE GENERAL RATE OF CUSTOMS DUTY ON DIESEL GOODS VEHICLES OF A MASS NOT EXCEEDING 1 100KG AND PETROL AND ELECTRIC GOODS VEHICLES WITH A CAPACITY OF A MASS NOT EXCEEDING 800KG:

Tariff Subheading	Description	Unit	Rate of Duty			
			General	EU	EFTA	SADC
8704.21.75	Other, with an engine capacity not exceeding 1 000 cm ³ (excluding the vehicles of subheading 8704.21.77)	U	25%	18%	20%	Free

APPLICANT:

Smith Mining Equipment (Pty) Ltd t/a Smith Power equipment
 P O BOX 9252
 Edenglen
 31613

ENQUIRIES:

ITAC Ref: 01/2015, Enquires: Tshepiso Sejamoholo/ Nonhlanhla Khumalo/Lufuno Maliaga,
 Tel: 012 394 41605/3693/3835 or email: tsejamoholo@itac.org.za/nkhumalo@itac.org.za/lmaliaga@itac.org.za.

REASONS FOR THE AMENDMENT:

- ∞ There are no local manufacturers of products classified under tariff subheading 8704.21.75 in the SACU region.
- ∞ The amendment to tariff subheading 8704.21.75 as published in Publication Notice No. 1007 of 2015 erroneously omitted the word "not" in the description.
- ∞ The current erroneous description of tariff subheading 8704.21.75 caters for all vehicles with an engine capacity exceeding 1 000 cm³ classifiable under tariff heading 8704. As a result, it has the unintended consequence of rendering tariff subheadings 8704.21.81, 8704.21.83 and 8704.21.90 obsolete.

PUBLICATION PERIOD:

Written representations must be made within two (2) weeks of the date of this notice.