

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 839 OF 2022

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

CUSTOMS TARIFF APPLICATIONSLIST 02/2022

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.

CORRECTION NOTICE

The following Notice replaces Item No. 2 in Notice No. 675 of 2021, which appeared in Government Gazette No. 45500 of 19 November 2021:

INCREASE IN THE GENERAL RATE OF CUSTOMS DUTY ON:

“Shower enclosures, including shower doors and shower panels as provided for in Additional Note 3 to Chapter 70, of glass, by the creation of an additional 8-digit subheading for the said goods”, from free of duty to 15% ad valorem”

“Additional Note:

3. Shower enclosures of tariff subheading 7020.00.10 are classified in this subheading whether or not framed, trimmed, and fitted with hinges, door handles and the like.”

APPLICANT:

Finestra Shower Doors a division of Casso Cabinets (Pty) Ltd
P.O. Box 2214
Edenvale
1610

ITAC Ref: 04/2021. Enquires: Ms. D. Rathete and Mr. T. Sejamoholo e-mail:
drathete@itac.org.za/tsejamoholo@itac.org.za.

REASONS FOR THE PUBLICATION:

The reasons for publication include:

- The High Court ruling on the matter between Sava Di Bella Bathroom Accessories cc t/a Prima Bella Bathroom Accessories and the Commissioner for the South African Revenue Service, has rendered the tariff classification and wording for aluminium shower doors (7610.10) previously published requested tariff position on the Government Gazette notice No. 44724 of 18 June 2021 is invalid.
- Subsequently, SARS provided a revised wording for the requested tariff position with respect to the application submitted by Finestra Shower Doors, a division of Casso Cabinets (Pty) Ltd.
- This notice serves to replace the requested tariff position initially published in the Government Gazette No. 44724 of 18 June 2021 under Notice 370 of 2021.

PUBLICATION PERIOD:

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