
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION**NOTICE 702 OF 2021****INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATIONS****LIST 15/2021**

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, BY WAY OF CREATING A NEW 8 DIGIT TARIFF SUBHEADING 8704.10.30, AS FOLLOWS:

“Articulated dumpers with a G.V.M. exceeding 50t, as defined in Additional Note 5 to Chapter 87”;

THE CREATION OF A NEW 8-DIGIT SUBHEADING 8704.10.20, WITH NO DUTY IMPLICATION, AS FOLLOWS:

“Articulated dumpers with G.V.M. not exceeding 50t, as defined in Additional Note 5 to Chapter 87”;

THE AMENDMENT OF SUBHEADING 8704.10.25, AS FOLLOWS:

“Other, with a G.V.M not exceeding 50t”; and

THE INSERTION OF AN ADDITIONAL NOTE 5 TO CHAPTER 87 –

“For the purposes of tariff subheadings 8704.10.20 and 8704.10.30, articulated dumpers are vehicles consisting of two distinct sections namely, a two-wheeled motor-driven front chassis and a two or four-wheeled rear chassis connected to one another by a pivoting articulation joint for steering.”

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/ Ms Ndivhudzannyi Mokou, Tel: 012 394 3628/3634/3627 or email pphaswana@itac.org.za/phadzhi@itac.org.za/nramphabana@itac.org.za.

REASONS FOR THE PUBLICATION:

- Following the publication of the application for an increase in the rate of customs duty applicable on “Dumpers designed for off-highway use: Other” from free of duty to 10% *ad valorem* in Government Gazette Notice No. 44103 of 29 January 2021, submissions received from the interested party indicated, amongst other things, that the scope of the application, as published, was too broad that it covered other products which are not made locally.

2

- Subsequently, in an attempt to narrow the scope of application, new proposed tariff descriptions were provided by SARS and a revised was application submitted to ITAC by the applicant.
- This notice, therefore, serves to replace the requested tariff amendment initially published in the Government Gazette Notice No. 44103 of 29 January 2021.

PUBLICATION PERIOD:

Representation should be made within **two (2)** weeks of the date of this notice.