

NOTICE 486 OF 2015**INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATIONS****LIST 05/2015**

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.

ITAC REQUESTS COMMENTS FROM INTERESTED PARTIES REGARDING THE:

A) PROPOSED AMENDMENT OF THE CONDITIONS PERTAINING TO THE GUIDELINES, RULES AND CONDITIONS PERTAINING TO TEXTILE FABRIC IMPORTED IN TERMS OF REBATE ITEMS 320.01/5407.61/01.06, 320.01/5903.20.90/01.08 AND 320.01/5907.00.90/01.08 FOR THE MANUFACTURE OF UPHOLSTERED FURNITURE; AND

B) WITHDRAWAL OF THE REQUEST BY TEXTFED TO AMEND THE WORDING OF THE EXISTING REBATE PROVISION FOR 320.01/5407.61/01.06, AS PUBLISHED IN THE GOVERNEMENT GAZETTE ON 20 FEBRUARY 2015 AND AS SET OUT BELOW:

- a) The *additional proposed amendments to the guidelines* regarding applications for permits for rebate of the full duty on qualifying fabrics used in the manufacture of upholstered furniture in terms of the provisions under rebate items 320.01/5407.61/01.06; 320.01/5903.20.90/01.08 and 320.01/5907.00.90/01.08 of Schedule 3 to the Customs and Excise Act. The additional proposed amendments to the guidelines are as follows:

1. *Applications to ITAC for rebate permits will be accompanied by a sample of the fabrics to be imported which will then be sent to the Textile Federation (Texfed) for its confirmation of the local availability. Furthermore, upon importation, a sample of each of the fabrics included in the rebate permit should be supplied to South African Revenue Service (SARS) for verification purposes.*
2. *An annual audit should be performed by an independent 3rd party who will perform the audit on importers of the rebated fabric. A Texfed representative may accompany such an audit process.*
3. *All applications by companies for rebates will be forwarded to industry representative bodies for comment before approval, in order to enhance ITAC's understanding of the bona fides of the applicant.*
4. *All consignment level data relating to the rebate application should be provided to interested parties, including trade associations and trade unions, and should include the following information relating to imports:*

- a. *Date of import;*
- b. *Port of entry;*
- c. *Country of origin;*
- d. *Country of export;*
- e. *Description of goods imported and quantity of goods imported;*
- f. *Rand value of goods imported*
- g. *Purpose code and*
- h. *Identity of importer*

- b) Withdrawal of the request by Texfed to amend the current wording of certain fabrics, which may be imported in terms of rebate provision 320.01/5407.61/01.06 that is used for the manufacture of upholstered furniture.

APPLICANT:

The Textile Federation of South Africa (TEXFED)

P O BOX 53

BRUMA

2026

[Enquiries: Ms. Khosi Mzinjana, Tel: (012) 394 3664, Fax: (012) 934 4664, E-mail:
kmzinjana@itac.org.za or Ms. Amina Varachia, Tel: (012) 394 3732, Fax: (012) 934 4732, E-mail:
avarachia@itac.org.za]

PUBLICATION PERIOD:

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

LIST 04/2015 WAS PUBLISHED UNDER NOTICE 369 OF 24 APRIL 2015.