

NOTICE 915 OF 2008**INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATION****LIST 11/2008**

The International Trade Administration Commission (herein after referred to as ITAC or the Commission) has received the following applications 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, within six weeks of the date of this notice. Attention is drawn to the fact that the rate of duty mentioned in the 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.

**GUIDELINES, RULES AND CONDITIONS PERTAINING TO REBATE
ITEMS 460.07/3920.49/01.06 OR 460.07/3920.49/02.06**

ITAC hereby informs the public about the guidelines, rules and conditions pertaining to rebate items 460.07/3920.49/01.06 or 460.07/3920.49/02.06 of Schedule No. 4 to the Customs and Excise Act, 1964. The guidelines will be effective from the 01 August 2008.

GUIDELINES, RULES AND CONDITIONS PERTAINING TO

REBATE ITEM 460.07/3920.49/01.06 OR 460.07/3920.49/02.06

1. Applicants must register with South African Revenue Services (SARS) as users of rebate item 460.07/3920.49/01.06 or 460.07/3920.49/02.06 before applying for permits, and they must acquaint themselves with the requirements of SARS.
2. Applications for permits must be addressed to the International Trade Administration Commission (ITAC), Private Bag X 753, Pretoria or delivered by hand to the DTI Campus, (Block E), 77 Meintjies Street, Sunnyside, Pretoria, 0002.
3. Applications for permits must be submitted according to the requirements of the attached application form. If the space provided in the application form is insufficient, please use the format of the application form to submit the requested information.
4. If all the information requested in the application form is not submitted, the application will not be considered, and it will be returned to the applicant.
5. At least two weeks should be allowed for the processing of applications and the issue of permits.
6. Each rebate permit issued defines the period during which the goods concerned can be cleared with rebate of the anti-dumping duty, and the period shall be for a calendar year starting from the date on which the permit was issued or a shorter period as requested by the Applicant, or as decided upon by ITAC.
7. Rebate permits issued will be subject to the following conditions:

There should be an intention by the Applicant(s) *that the goods will be used exclusively for the manufacture of cards incorporating a magnetic stripe, cards incorporating semiconductor devices and SIMM or Dimm cards and a change in tariff heading.*

Letters from the local manufacturer should be submitted as proof that such goods will be used exclusively for the manufacture of cards incorporating a magnetic stripe, cards incorporating semiconductor devices and SIMM or DIMM cards.

Proof of the Applicant's registration with South African Revenue Services (SARS) in terms of rebate item 460.07/3920.49/01.06 or 460.07/3920.49/02.06 must be submitted with the application.

8. Rebate permits may not be transferred in any manner by the holder thereof, to any other person, or be used to the benefit of any person, not named in the permits.
9. If it is suspected that any condition of this permit is not complied with, the consignment in terms of which the rebate permit was used can be seized by ITAC. If it is established that non-compliance took place, appropriate steps will be taken. These steps will be taken in terms of the International Trade Administration Act and the Customs and Excise Act, and can include, criminal charges, withdrawal of the permit or permits concerned and/or the rejection of future applications for permits.

APPLICATION FOR A PERMIT IN TERMS OF ITEM 460.07/3920.49/01.06 and 460.07/3920.49/02.06 FOR REBATE OF THE ANTI-DUMPING DUTY ON PLATES, SHEETS, FILM, FOIL AND STRIP OF POLYMERS OF VINYL CHLORIDE (PVC), NON-CELLULAR AND NOT REINFORCED, LAMINATED, SUPPORTED OR SIMILARLY COMBINED WITH OTHER MATERIALS AND HAVING A PLASTICIZER CONTENT NOT EXCEEDING 6%, CLASSIFIABLE IN TARIFF SUBHEADING 3920.49, ORIGINATING IN OR IMPORTED FROM CHINA AND TAIWAN, IN SUCH QUANTITIES, AT SUCH TIMES AND SUBJECT TO SUCH CONDITIONS AS THE INTERNATIONAL TRADE ADMINISTRATION COMMISSION MAY ALLOW BY SPECIFIC PERMIT, AFTER THE COMMISSION IS SATISFIED THAT SUCH GOODS WILL BE USED EXCLUSIVELY FOR THE MANUFACTURE OF CARDS INCORPORATING A MAGNETIC STRIPE, CARDS INCORPORATING SEMICONDUCTOR DEVICES AND SIMM OR DIMM CARDS

3 (a). Description of the products that will be manufactured from the PVC described in 2 (a):

- 1
- 2
- 3
- 4

3 (b) Furnish the following information in respect of each of the products mentioned in 3(a):

Product	I HS Tariff code 8-digits	II Quantity to be processed	III Estimated sales value (ex-factory)
1			
2			
3			
4			

4. State the following:

1. Unit of measurement HS tariff code	
2. Unit of measure as per your application	
3. Conversion factor item 1 and 2 to produce one item	

5. Yield / formula of manufacture:
What quantities of each of the PVC listed in 2 (a) will be needed to produce a UNIT quantity of the product listed in 3(a)?

6. What manufacturing will be carried out by yourselves?
What is the nature of the manufacturing operation?

7 Please indicate the value of your total sales in the Southern African Customs Union (SACU) as well as your exports for the past three years in respect of the products mentioned in 3(a):

Year	Product	HS Tariff code (8-digits)	Total Sales (in SACU)	Total export sales

8 (a) Are the goods/materials/components to be imported (as mentioned in 2(a)) manufactured locally?

YES	NO
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8(b) Why do you have to import the goods/materials/components?
 (This information is for record purposes only.)
 (Letters from the local manufacturer should be submitted as proof that such goods will be used exclusively for the manufacture of cards incorporating a magnetic stripe cards incorporating semiconductor devices and SIMM or DIMM cards.)

9. Name of Chief Executive Officer:.....

Tel no:..... Fax no:.....

DECLARATION IN RESPECT OF AN APPLICATION FOR A PERMIT IN TERMS OF REBATE PROVISION 460.07/3920.49/01.06 AND 460.07/3920.49/02.06 OF SCHEDULE 4 TO THE CUSTOMS AND EXCISE ACT, 1964

NB: The obligation to complete and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the claimant

I, (full names) with identity number, in my capacity as – managing director/chief executive (in respect of a company) or senior member/ person with management responsibility (close corporation, partnership or individual)
(Delete whichever is not applicable)

of
(hereinafter referred to as the applicant) hereby declare that –

- a) the Applicant complies with prescribed requirements in order to qualify for rebate in terms of the above-mentioned rebate provision;
- b) I have satisfied myself that the preparation of the application has been done in conformity with the guidelines and requirements in respect of the above-mentioned rebate provision, with which I have fully acquainted myself and to which I unconditionally agree to;
- c) I accept that the decision by the Chief Commissioner: International Trade Administration will be final and conclusive and that the said Chief Commissioner may at any time conduct or order that an investigation to verify information furnished in the application form, be conducted;
- d) The information furnished in this application is true and correct;
- e) The applicant or any one of its associates, or related party is not subject of an investigation by either the South African Police, the Office for Serious Economic Offences, International Trade Administration, or the Commissioner for South African Revenue Services (SARS) into previous claims or other related matters.

NAME: DESIGNATION:

SIGNATURE: DATE AND YEAR:

I CERTIFY THAT THE DEPONENT HAS ACKNOWLEDGED THAT HE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT, AND THAT HE HAS NO OBJECTION TO TAKING THE PRESCRIBED OATH, AND THAT HE CONSIDERS THIS OATH TO BE BINDING ON HIS CONSCIENCE.

SIGNED and SWORN to before me at on this
..... Day of Year.

.....
COMMISSIONER OF OATHS

FULL NAMES:

CAPACITY:

BUSINESS ADDRESS:

.....

AREA:

CORRECTION NOTICE

The previous publication, Notice No. 873 of 18 July 2008 was erroneously published without the amendment to Schedule No. 1.

AMENDMENT TO SCHEDULE NO.1 PART 1:

Delete and substitute subheading 8528.72 and 8528.73 with the following:

8528.72	Other, colour:
8528.72.20	Incorporating a cathode-ray tube (CRT)
8528.72.30	Other, with a screen size not exceeding 3 m x 4 m
8528.72.90	Other
8528.73	Other, black and white or other monochrome:
8528.73.20	Incorporating a cathode-ray tube (CRT)
8528.73.30	Other, with a screen size not exceeding 3 m x 4 m
8528.73.90	Other

AMENDMENT TO SCHEDULE NO 3:

Delete and substitute item 316.17/00.00/00.05 with the following:

1. Rebate item 316.17/00.00/01.00

“Goods of any description (excluding mounted or populated circuit boards, picture tubes fitted with components other than the deflection coil and cabinets fitted with components and any apparatus classifiable in tariff subheading 8528), at such times, in such quantities and under such conditions as the International Trade Administration Commission may allow by specific permit, for the manufacture of reception apparatus for television incorporating a cathode-ray tube (CRT) classifiable in tariff subheading 8528.72.20 and 8528.73.20, whether or not combined in the same housing with radio-broadcasting receivers or sound or video recording or reproducing apparatus, provided that the Commission is satisfied that the manufacturing process for reception apparatus for television includes the mounting and populating of unpopulated (blank) circuit board”.

2. Rebate item 316.17/00.00/02.00

“Goods of any description (excluding mounted or populated circuit boards and display panels, irrespective of their degree of completion and any apparatus classifiable in tariff heading 85.28), at such times, in such quantities and under such conditions as the International Trade Administration Commission may allow by specific permit, for the manufacture of reception apparatus for television incorporating a display other than a cathode-ray tube (CRT) classifiable in tariff subheading 8528.72.30 and 8528.73.30, whether or not combined in the same housing with radio-broadcast receivers or sound or video recording or reproducing apparatus, provided that the Commission is satisfied that the manufacturing process for reception apparatus for television includes the mounting and populating of unpopulated (blank) circuit board”.

3. Rebate item 316.17/00.00/03.00

“Plasma display panels and liquid crystal displays (excluding any apparatus classifiable in tariff heading 85.28), not equipped or presented with mounted or populated circuit boards designed for purposes other than pixel control, and inverters, whether or not incorporating a back lighting unit but not equipped or presented with any other components, at such times, in such quantities and under such conditions as the International Trade Administration Commission may allow by specific permit, for the manufacture of reception apparatus for television classifiable in tariff subheading 8528.72.30 and 8528.73.30, provided that the Commission is satisfied that the display panels are used in the manner prescribed in rebate item 316.17/00.00/02.00”.

[ITAC reference: T5/2/18/1, Enquiries: Dumisani Mbambo:

Email; dmbambo@itac.org.za, Tel. (012) 394 3743, Fax. (012) 394 4743]

APPLICANT

Tedalex Trading (Pty) Ltd

PO Box 39186

Booyens

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Reason for Application

Due to technological advancement, the existing rebate provision no longer serves its intended use. The current rebate does not accommodate the importation of components for the manufacture of LCD's and Plasmas.