

NOTICE 881 OF 2013**INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATION****LIST 14/2013 – Correction Notice****NOTE:**

This notice supersedes Notice NO. 860 of 2013 Published in the Government Gazette No. 36760 of 23 August 2013.

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.

In the Government Gazette No. 36760, Notice No. 860 of 2013, published on 23 August 2013, the applicant name for the first investigation on the list was indicated to be Nampak Flexible, a division of Nampak Products Ltd, while it should have been Sappi Southern Africa (Proprietary) Limited. The application should therefore read as follows:

INCREASE IN THE RATE OF CUSTOMS DUTY ON:

Coated fine paper classifiable under tariff headings 4810.13.20, 4810.13.90, 4810.14.10, 4810.14.90, 4810.19.90 and 4810.29.90, from free of duty to the WTO-bound rate of 5% ad valorem.

[Ref: 15/2013] Enquiries: Manini Masithela, Tel: (012) 394 3682, Fax: (012) 934 4682, E-mail: mmasithela@itac.org.za and Lebogang Loate, Tel: 012 394 3629, Fax: 012 394 4629, E-mail: lloate@itac.org.za.

APPLICANT:

Sappi Southern Africa (Proprietary) Limited ('Sappi').
Postal Address:
PO Box 31560
Braamfontein
2017

REASONS FOR THE APPLICATION

The applicant submitted that the main reason is to enhance the competitive position of Sappi Southern Africa (Pty) Ltd against producers in low-cost countries, especially in Asia and South-east Asia. Due to the over-capacity in these markets and consequent price undercutting Sappi continues to lose significant market share. This loss in market share has led to significant job losses through the closure of Sappi's Enstra pulp plant at the end of February 2012 and the Adamas Mill. The tariff relief sought will protect and retain employment opportunities in the manufacturing industry in both upstream and downstream activities. Currently the total number of employees at Sappi's Stranger mill is 406. The forest sector has been identified as key sector in cluster 2 of the Industrial Policy Action Plan, according to which the forestry industry has the potential to contribute significantly to rural and economic development. In this regards, the application is also aimed at encouraging investment and enabling the local industry to expand capacity and earn foreign currency through exports.

Representation should be submitted to the above address within three (3) weeks of the date of this notice.