

No. 36, 1953.]

ACT

To amend the law relating to customs.

(Afrikaans text signed by the Governor-General.)
(Assented to 30th September, 1953.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:

Amendment of
section 1 of
Act 35 of
1944.

1. (1) Section *one* of the Customs Act, 1944 (hereinafter referred to as the principal Act), is hereby amended by the insertion after the definition of "King's Warehouse" of the following definition:

"'law relating to customs' includes any provision of this Act;";

(2) Sub-section (1) shall be deemed to have come into operation on the fifth day of June, 1944.

Amendment of
section 21 of
Act 35 of
1944, as
amended by
section 1 of
Act 32 of
1945, section
1 of Act 39
of 1949 and
section 1 of
Act 33 of
1950.

2. Section *twenty-one* of the principal Act is hereby amended—

(a) by the substitution, for paragraph (*f*) of sub-section (1), of the following paragraph:

"(*f*) goods which are indecent or obscene or on any ground whatsoever objectionable, unless imported for research purposes by educational institutions under a permit issued by the Minister of the Interior;"; and

(b) by the addition, at the end of sub-section (1), of the following paragraph:

"(*l*) alcoholic liquors (including imitations of such liquors) in containers of a capacity of less than one reputed half-pint, except under permit issued by the Commissioner.".

Amendment of
First Schedule
to Act 35 of
1944, as
amended by
Acts 32 of
1945, 29 of
1946, 38 of
1947, 27 of
1948, 39 of
1949, 33 of
1950, 62 of
1951 and 52
of 1952.

3. (1) The First Schedule to the principal Act is hereby amended to the extent set out in the First Schedule to this Act.

(2) (a) The amendments in respect of tariff items 129 (*a*), (*b*) and (*c*), 195 (1), 260 (*a*) (i), (ii) and (iii) and 260 (*b*) (i), (ii) and (iii) of the First Schedule to the principal Act, shall, subject to the provisions of section *seventy-nine* of the principal Act, be deemed to have come into operation on the twenty-second day of July, 1953.

(b) The amendments in respect of tariff items 73 (4), 112 and 145 of the First Schedule to the principal Act, shall be deemed to have come into operation on the twenty-eighth day of August, 1953.

Amendment of
Second Schedule
to Act 35 of
1944, as amended
by Acts 39 of
1949, 33 of
1950, 62 of
1951 and 52
of 1952.

4. The Second Schedule to the principal Act is hereby amended to the extent set out in the Second Schedule to this Act.

Ratification
of amend-
ment of
Union-Northern
Rhodesia
Customs
Agreement.

5. The agreement entered into between the Government of the Union and the Government of Northern Rhodesia by way of an exchange of notes dated respectively at Cape Town the second day of September, 1953, and at Lusaka the twenty-first day of August, 1953, to amend the customs agreement, a copy of which is set forth in the Second Schedule to the Union and Rhodesia Customs Agreements Act, 1930 (Act No. 17 of 1930), as amended by the Union and Rhodesia Agreements (Amendments) Act, 1936 (Act No. 29 of 1936), the Customs Amendment Act, 1947 (Act No. 38 of 1947), and the Customs Amendment Act, 1949 (Act No. 39 of 1949), by the substitution for Article XVIII of the following:

"ARTICLE XVIII.

The provisions of this Agreement shall take effect from the 1st July, 1930, save and except where special provision to the contrary is made in paragraph (1) of Article V, but

shall be subject to ratification and confirmation by the Parliament of the Union and to the approval of the Secretary of State for the Colonies on behalf of Northern Rhodesia. Upon such ratification and confirmation, and such approval, this Agreement shall continue in force until the 30th June, 1932, and thereafter for periods of twelve months; provided that either party to this Agreement may by giving six months' notice in that behalf to the other party retire from this Agreement at the expiration of such notice, and provided further that should one of the contracting parties at any time take any steps in conflict with the spirit and intent of this Agreement, the other party shall be at liberty to retire therefrom forthwith.”

is hereby ratified and confirmed, and the said Act shall be construed accordingly.

Short title.

6. This Act shall be called the Customs Amendment Act, 1953.

First Schedule.

AMENDMENTS TO THE FIRST SCHEDULE TO THE CUSTOMS ACT, 1944, AS AMENDED.

Tariff item.	Article.		Minimum duty.	Intermediate duty.	Maximum duty.
			£ s. d.	£ s. d.	£ s. d.
3	By substituting for the item the following:— “3 (1) Biscuits, cakes, puddings and pastry (2) Bread, plain; and diabetic bread (3) Dog biscuits	<i>ad valorem</i> or per lb. per lb. <i>ad valorem</i>	20% 0 0 3 25%	25% 0 0 4 25%	25% 0 0 4 25%”
			whichever duty shall be the greater.		
4	By deleting in paragraph (a) the words “feathers n.e.e.”, by inserting in paragraph (c) after the words “meat meal” the words “mono-sodium phosphate”, and by substituting for paragraphs (b) and (d) the following:— “(b) Sausage casings— (i) Hog (ii) Other (d) Feathers in their raw and unmanufactured state— (i) Down (ii) Goose (iii) Other	<i>ad valorem</i> per lb. per lb.	Free 10% Free 0 0 6 0 0 3	Free 10% Free 0 0 6 0 0 3	Free 15% Free 0 0 6 0 0 3”
7	By deleting paragraph (2) and also the figure “(1)” before the word “Casein”.				
9	By substituting for the item the following:— “9. Charcoal (animal and vegetable), charcoal-kieselguhr compounds, and activated charcoal, in bulk	—	Free	Free	Free”
10	By substituting for the item the following:— “10. (1) Chicory root, raw or dried only (2) Chicory and substitutes for chicory	per lb. per lb.	0 0 2 0 0 2	0 0 3 0 0 3	0 0 3 0 0 3”
38	By inserting the letter “(a)” before the word “Rennet” and adding the following paragraph:— “(b) Bacterial culture, n.e.e.	—	Free	Free	Free”

Tariff item.	Article.		Mini- mum duty.	Inter- mediate duty.	Maxi- mum duty.
			£ s. d.	£ s. d.	£ s. d.
49	By substituting for the item the following:— “49. Beverages not exceeding 3 per cent. of proof spirit— (a) Fruit juices, cordials and syrups .. (b) Other kinds, n.e.e.	<i>ad valorem</i> <i>ad valorem</i>	25% 25%	25% 25%	25% 25%”
73	By increasing in paragraph (4) the minimum, intermediate and maximum rates of duty of Free to 15%, 15% and 20% <i>ad valorem</i> , respectively.				
79	By substituting for the item the following:— “79. Shawls— (a) Cashmere, lace and silk .. (b) Knitted and crocheted .. (c) Other shawls weighing not more than 12 oz. each ..	<i>ad valorem</i> <i>ad valorem</i> <i>ad valorem</i>	10% 10% 10%	15% 15% 15%	25% 25% 25%”
108	By reducing the additional minimum, intermediate and maximum rates of duty in paragraphs (a), (b) and (c) from 20%, 20% and 25% <i>ad valorem</i> , respectively, to 15%, 15% and 20% <i>ad valorem</i> , respectively, and by substituting for the word “and” where it appears for the second time in paragraphs (b) and (f) the word “or”.				
112	By adding after the word “leaf” the words “, including foil”, and by increasing the minimum, intermediate and maximum rates of duty of Free, Free and 5% <i>ad valorem</i> , respectively, to 5%, 5% and 10% <i>ad valorem</i> , respectively.				
129	By increasing the minimum, intermediate and maximum rates of duty in paragraph (a) from £1 3s. 0d. per 100 lb. to £3 13s. 0d. per 100 lb. in each case. By substituting for the rates of duty in paragraphs (b) and (c) the following:— (b) (c)	<i>ad valorem</i> per lb. <i>ad valorem</i> per lb.	25% 0 0 6 30% 0 0 6	25% and in addition 0 0 6 30% and in addition 0 0 6	25% 0 0 6” 30% 0 0 6”
143	By substituting for paragraph (a) the following:— “ (a) Stoves, ranges, copper, grates, ovens and steam-jacketed pans, not being for manufacturing or industrial purposes— (i) Cooking stoves for liquid fuel (oil). of pressure type .. (ii) Other	<i>ad valorem</i> <i>ad valorem</i>	15% 15%	15% 15%	15% 15%”
145	By increasing the intermediate rate of duty of 3% <i>ad valorem</i> to 5% <i>ad valorem</i> .				
162	By deleting in sub-paragraph (ii) of paragraph (a) the words “and preparations”.				
180	By substituting for paragraph (b) the following paragraphs:— “ (b) Mica plates for electrical purposes (c) Other	<i>ad valorem</i> <i>ad valorem</i>	15% 15%	15% 20%	15% 20%”

Tariff item.	Article.		Minimum duty.	Intermediate duty.	Maximum duty.
			£ s. d.	£ s. d.	£ s. d.
195	By increasing in paragraph (1) the minimum, intermediate and maximum rates of duty of 9d. per imperial gallon to 1s. per imperial gallon, in each case.				
202	By substituting for paragraph (2) the following paragraphs:— “(2) Whale oil (3) Fish body oil (4) Fish liver oil (5) Other, including crude castor oil	<i>ad valorem</i> <i>ad valorem</i> <i>ad valorem</i> <i>ad valorem</i>	20% 20% 20% 20%	20% 20% 20% 20%	20% 20% 20% 20%”
207	By substituting for the item the following:— “207. Tallow, animal and vegetable, including oleine	<i>ad valorem</i>	Free	Free	5%”
210	By substituting for the item the following:— “210. Waxes and greases: (a) Beeswax (b) Paraffin wax, stearine wax and stearine grease .. (c) Other, n.e.e. ..	<i>ad valorem</i> — <i>ad valorem</i>	15% Free 15%	15% Free 15%	20% Free 20%”
224	By adding in paragraph (a) after the word “malaria” the words “and tuberculosis”.				
227	By adding the following paragraph:— “(4) Soil conditioners as may be approved by the Minister	—	Free	Free	Free”
260	By increasing the minimum, intermediate and maximum rates of duty in sub-paragraphs (a) (i), (a) (ii) and (b) (i) from 8d. per lb. to 11d. per lb. in each case, in sub-paragraphs (a) (iii) and (b) (ii) from 8d., 10d. and 10d. per lb., respectively, to 11d., 1s. 1d. and 1s. 1d. per lb., respectively, and in sub-paragraph (b) (iii) from 8d., 9½d. and 9½d. per lb., respectively, to 11d., 1s. 0½d. and 1s. 0½d. per lb., respectively.				
301	By substituting for paragraph (a) the following:— “(a) As prizes at public exhibitions or shows, at public examinations or examinations in any educational institution, or for skill or sport in public competition or competition in any educational institution	—	Free	Free	Free”
302	By substituting for paragraph (2) the following:— “(2) Gold and silver plate, and gold and silver plated ware including communion sets— (i) Imported by or for presentation to any religious body (ii) Other	— <i>ad valorem</i>	Free 20%	Free 20%	Free 30%”
306	By substituting for the comma after the word “harmoniums” the word “and”, and by deleting the words “plate and plated-ware and communion sets”.				
309	By deleting the words “to the wounded” and by adding after the words “Royal Life Saving Society” the words “and such societies as may be approved by the Minister”.				

Tariff item.	Article.		Mini-mum-duty.	Inter-mediate duty.	Maxi-mum-duty.
			£ s. d.	£ s. d.	£ s. d.
319	By deleting sub-paragraph (3) of paragraph (c).				

Tariff item.	Article.	Duty rebated as under.
345	By deleting the word "stearine,".	The amount of duty in excess of 20 per cent <i>ad valorem</i> ."
358	By deleting in paragraph (3) the words "stearine (stearic acid)," and by inserting in paragraph (9) after the word "goods" the words "(excluding drill, twill and sateen)".	
360	By deleting the word "stearine,".	
363	By substituting in paragraph (2) for the words "excluding felt" where they appear for the first time the words "(excluding felt, drill, twill and sateen)".	
366	By deleting in paragraph (2) the words ", and the metal fittings therefor" and by deleting paragraphs (3) and (4).	
371	By substituting for paragraph (14) the following:— "(14) Acetic acid for such industries as may be approved by the Minister"	
372	By deleting in paragraph (1) all the words after the word "shape", by substituting in paragraph (2) for the words "Drums for the export of fish oil" the words "Wire ropes", and by deleting paragraph (3).	
376	By deleting the words "and bacterial cultures".	
393	By inserting after the word "leathers" the words "and excluding drill, twill and sateen".	
401	By deleting the word "stearine,".	
408	By substituting for the item the following:— "408 (No paragraph)".	
413	By substituting for the item the following:— "413 (No paragraph)".	
415	By substituting for the words "and tricresyl phosphate" the words ", plasticisers, polymethyl metacrylate, sub-micron silica and accelerators".	

Second Schedule.

AMENDMENTS TO THE SECOND SCHEDULE TO THE CUSTOMS ACT 1944, AS AMENDED.

PART I.

Tariff item.	Article.	Minimum duty.	Inter-mediate duty.	Countries whose products are admitted at minimum rates of duty.
180	By deleting the item and paragraph (b).			
260	By increasing the minimum and intermediate rates of duty in sub-paragraphs (a) (iii) and (b) (ii) from 8d. and 10d. per lb., respectively, to 11d. and 1s. 1d. per lb., respectively, and in sub-paragraph (b) (iii) from 8d. and 9½d. per lb., respectively, to 11d. and 1s. 0½d. per lb., respectively.			