

NOTICE 1090 OF 2013**INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATIONS****LIST 17/2013**

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.

CORRECTION NOTICE

In the application by the South African Revenue Service (SARS) as published in Notice 860 of 23 August 2013, the omission of the word “windows” and the inclusion of the phrase “of base metal” on tariff subheadings 8302.41.10 and 8302.42.10 were erroneous. Therefore, the application should read as follows:

AMENDMENT OF TARIFF SUBHEADINGS 8302.30.30, 8302.41.10 AND 8302.42.10.

With regards to tariff subheading 8302.30.30:

- By the deletion of “Fittings of iron, steel or copper, commonly used in the manufacture of windows, doors and door frames (excluding window opening mechanisms), of base metal”; and
- The insertion of “Fittings of iron, steel or copper, (excluding window opening mechanisms) for windows, doors and door frames.”

With regards to tariff subheading 8302.41.10:

- By the deletion of “Fittings of iron, steel or copper, commonly used in the manufacture of windows, doors and door frames”; and
- The insertion of “Fittings of iron, steel or copper, of a kind solely or principally for windows, doors and door frames.”

With regards to tariff subheading 8302.42.10:

- By the deletion of “Fittings of iron, steel or copper, commonly used in the manufacture of doors and door frames”; and
- The insertion of “Fittings of iron, steel or copper, of a kind solely or principally for doors and door frames.”

Applicant: SARS

Private Bag 923

Pretoria

0001.

Enquiries: Reference no. ITAC: 18/2013, contact: Mr Njabulo Mahlalela, Tel: 012 394 3684 or email: nmahlalela@itac.org.za

Reasons for the application:

- On importation, it is not possible to establish whether or not the fittings that fall under these tariff subheadings will be used for factory installation on windows, doors, and/or door frames. The prerequisite of “commonly used in the manufacture” is therefore removed.
- The removal of “of base metal” where it appears in 8302.30.30 has no impact as vehicles are predominantly made from base metal but even if made from another material the subheading provision remains valid to those vehicles.

Publication period:

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

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