

No. R. 890

7 September 2000

**CUSTOMS AND EXCISE ACT, 1964.-  
AMENDMENT OF SCHEDULE NO. 4 (No. 4/243)**

Under section 75 of the Customs and Excise Act, 1964 –

1. Schedule No. 4 to the said Act is hereby amended to the extent set out in the Schedule hereto; and
2. this amendment shall come into operation on a date to be specified by notice in the Gazette.

**M. MPAHLWA**  
**DEPUTY MINISTER OF FINANCE**

**SCHEDULE**

Rebate Item	Tariff Heading	Rebate Code	C. D.	Description	Extent of Rebate	Anno-tations
460.11		"05.00	01	<p>By the insertion after rebate code 03.00 to tariff heading No. 00.00 of the following:</p> <p>Textiles and textile articles falling within headings Nos. 52.04 to 52.12, 55.08 to 55.16, 60.01 and 60.02, 61.01 to 61.17, 62.01 to 62.17 and 63.02 to 63.08 which are produced in and imported from the Republic of Malawi, the Republic of Mozambique, the United Republic of Tanzania and the Republic of Zambia (MMTZ Member States of the Southern African Development Community), subject to compliance with the Notes hereto.</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>1. Entry under rebate of duty in terms of this item of any goods classified under the specified headings shall –               <ol style="list-style-type: none"> <li>(a) only apply to goods for which tariff quotas have been allocated and export certificates have been issued as provided in Appendix V of Annex 1 contained in Part B of the Schedule to the General Notes to Schedule No. 1,</li> <li>(b) be subject to –                   <ol style="list-style-type: none"> <li>(i) production of the following documents together with the other documents required in terms of section 39 –                       <ol style="list-style-type: none"> <li>(aa) a valid original SADC-MMTZ Export Certificate, and</li> </ol> </li> </ol> </li> </ol> </li> </ol>	Full duty"	

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				<p>(bb) proof that the goods have been consigned directly from the premises of a certified exporter to a consignee in the Republic as contemplated in paragraph 1 of Article 6 of Appendix V;</p> <p>(ii) compliance with –</p> <p>(aa) other provisions of Appendix V and Annex I relating to the exportation and importation of the goods concerned;</p> <p>(bb) any relevant provision of rule 49 B</p> <p>2. Production of the SADC Certificate of Origin prescribed in Appendix II to Annex I is not required in accordance with the provisions of Article 6(2) of the said Annex I.</p> <p>3. If any goods are imported for the purpose of entry in terms of the provisions of the item and the SADC-MMTZ Export Certificate is not produced at the time of entry to prove the originating status of the goods concerned, such goods shall be dealt with as provided in section 49(9).</p> <p>4. (a) Any officer administering the origin provisions of such goods shall, as contemplated in Article 6(3) of Appendix V and in accordance with the provisions of Rule 9(3) and (4) of Annex I, in cases of doubt concerning the statement contained in any SADC-MMTZ Certificate of Origin, submit a report, the certificate and all the relevant import documents to the Commissioner for the purpose of verification of the statement concerned.</p>		

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				<p>(b) The request for verification shall be submitted to the MMTZ issuing authority on the form contained in Part 2 of Appendix V.</p> <p>(c) Such officer shall, in accordance with the provisions of Rule 9(4) of Annex I, where the enquiry solely concerns further evidence, allow release of the goods on the furnishing of adequate security to cover duty at the general rate of duty specified in Part 1 of Schedule No. 1 in respect of such goods.</p> <p>(d) If any goods for which the SADC-MMTZ Export Certificate has been issued are not exported within 20 working days from the date of issue, the goods shall, on importation into the Republic be liable to duty at the general rate of duty specified in Part 1 of Schedule No. 1 in respect of such goods.</p>		