

EXPLANATORY MEMORANDUM-TECHNICAL AMENDMENTS

TECHNICAL AMENDMENTS TO THE CUSTOMS AND EXCISE ACT, 1964

The draft amendments in Part 1 of Schedule No. 1 to the Customs and Excise Act, Act No. 91 of 1964 (the Act), are technical in nature and **will have no effect on the duty structure**. The amendments are mostly due to requests received from industry or other government agencies.

1. AMENDMENT OF PART 1 OF SCHEDULE NO. 1

1.1 Request from the F C Dubbelman and Associates on behalf of Lasher Tools for a separate tariff subheading for wheelbarrows

F.C Dubbelman & Associates on behalf of Lasher Tools submitted a request for the creation of a separate 8-digit tariff subheading for wheelbarrows. They motivated that as a result of the recent sunset review on the anti-dumping duty on wheelbarrows, which led to an increase of the duty, has resulted in circumvention by importers. The importers are using tariff subheading 8716.90.90 which is a residual subheading that provides for parts other than those specifically mentioned.

Importers are bringing in wheelbarrows unassembled and declaring them and parts. Therefore, the creation of a separate 8-digit tariff subheading for “parts of wheelbarrows” will enable the applicant to collect statistics.

The following subheading is inserted:

8716.90.30	Other, of wheelbarrows
------------	------------------------

1.2 Request from Commodity Trade Observer on behalf of the Association of Electric Cable Manufacturers of South Africa for the creation of separate tariff subheadings for certain cables

Commodity Trade Observer on behalf of the Association of Electric Cable Manufacturers of South Africa requested the creation of separate 8-digit tariff subheadings under headings 74.13, 76.14, 85.44 and 90.01. They motivated that the creation of the separate 8-digit tariff subheadings will enable them to ascertain the exact volumes and prices of the products in question. In turn this will ensure that public procurement guidelines and exemptions are sufficiently enforced and that locally manufactured goods are used in government projects.

It will further assist in gathering information on competition trends between the locally manufactured versus imported goods.

The following subheading is inserted:

7413.00.3	Cables, cordage and rope; electric wire or cable:
7413.00.31	Cables, not in coils and not incorporating wire that is surface treated
7413.00.39	Other
7614.90.05	With aluminium core
7614.90.10	With core of composite material
7614.90.90	Other
8544.49.2	Plastic insulated:
8544.49.21	For a voltage exceeding 80 V but not exceeding 300 V
8544.49.23	For a voltage exceeding 300 V but not exceeding 500 V
8544.49.29	For a voltage exceeding 500 V
8544.49.3	Rubber insulated:
8544.49.31	For a voltage exceeding 80 V but not exceeding 750 V
8544.49.39	For a voltage exceeding 750 V
8544.60.1	Paper insulated:

8544.60.11	For a voltage exceeding 1 kV but not exceeding 33 kV
8544.60.13	For a voltage exceeding 33 kV but not exceeding 132 kV
8544.60.19	For a voltage exceeding 132 kV
8544.60.2	Plastic insulated:
8544.60.21	For a voltage not exceeding 1,5 kV DC
8544.60.22	Other, for a voltage exceeding 1 kV but not exceeding 3,3 kV
8544.60.23	For a voltage exceeding 3,3 kV but not exceeding 33 kV
8544.60.24	For a voltage exceeding 33 kV but not exceeding 132 kV
8544.60.25	For a voltage exceeding 132 kV but not exceeding 275 kV
8544.60.29	For a voltage exceeding 275 kV
8544.60.3	Rubber insulated:
8544.60.31	For a voltage not exceeding 1,5 kV DC
8544.60.32	For a voltage exceeding 1 kV but not exceeding 1,1 kV
8544.60.33	Other, for a voltage exceeding 1,1 kV but not exceeding 3,3 kV
8544.60.34	For a voltage exceeding 3,3 kV but not exceeding 33 kV
8544.60.35	For a voltage exceeding 33 kV but not exceeding 132 kV
8544.60.37	For a voltage exceeding 132 kV but not exceeding 275 kV
8544.60.39	For a voltage exceeding 275 kV
9001.10.1	Optical fibre:
9001.10.11	Of glass
9001.10.15	Of plastic
9001.10.19	Other

9001.10.2	Optical fibre bundles:
9001.10.21	Of glass
9001.10.25	Of plastic
9001.10.29	Other
9001.10.3	Optical fibre cables:
9001.10.31	Not containing metal
9001.10.35	Containing metal casing
9001.10.39	Other

The following subheadings are substituted:

7614.90	Other:
9001.10	Optical fibres, optical fibre bundles and cables:

The following subheadings are deleted:

3004.20.90	Other
7413.00.30	Cables, cordage and rope; electric wire or cable
8544.60.10	Paper insulated
8544.60.20	Plastic insulated
8544.60.30	Rubber insulated

1.3 Other miscellaneous amendment

The opportunity is used to make corrections in Chapters 30 and 70. Tariff subheading 3004.20.90 was erroneously omitted under deletions when the structure was expanded on 1 January 2018. Currently there are two subheading that provides for the residual “other” under tariff subheadings 3004.20.90 and 3004.20.99.

Tariff subheading 7005.29.55, 7005.29.65 and 7005.29.85 provide for other glass, excluding solar glass and optical glass. However, the reference to solar glass was erroneously omitted from the exclusion on the descriptions of the three subheadings.



South African Revenue Service

2. AMENDMENT OF SCHEDULE NO. 4

Rebate item 460.18/9001.10/01.06 that provide for optical fibre is deleted and a new item 460.18/9001.10.19/01.08 in Part 2 of Schedule No. 4 is inserted as a consequence to the amendment in Part 1 of Schedule No. 1.

3. AMENDMENT OF SCHEDULE NO. 5

In 2021 an amendment to delete rebate provisions pertaining to the goods for personal or official use by the President and his family was implemented. Refund items 540.01/195.10/0105, 540.01/195.10/02.05 and 540.01/195.20/01.05 provide for the refund of distillate fuel and biodiesel used by the President. These refund items were erroneously left out from the deletions. An opportunity is now taken to delete these refunds items.

4. AMENDMENT OF SCHEDULE NO. 6

Note 4A in Part 1D of Schedule No. 6 provides that for the purposes of rebate item 621.08 the premises of manufacturers and suppliers of ethyl alcohol for industrial use or for the manufacture of other non-liquor products shall be licensed as a customs and excise warehouse as provided for in section 19. The Note was inserted to fast track the registration of manufacturers of disinfectants to obtain ethyl alcohol for the duration of the state of disaster management which was implemented as a result of the Covid pandemic. Since the lifting of the state of national disaster on 4 April 2022, the Note has become redundant and is being deleted.