

DEPARTMENT OF TRADE AND INDUSTRY
NOTICE 178 OF 2019

INTERNATIONAL TRADE ADMINISTRATION COMMISSION
CUSTOMS TARIFF APPLICATIONS

LIST 02/2019

The International Trade Administration Commission (herein after referred to as ITAC or the Commission) has received the following applications concerning the Customs Tariff. Any objection to or comments on these representations 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 these applications 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.

2. INCREASE IN THE GENERAL RATE OF CUSTOMS DUTY ON:

“Crystalline silicon photovoltaic modules or panels classifiable under tariff subheading 8541.40.10, by way of creating an 8-digit tariff subheading, from free of duty to 10% ad valorem.”

APPLICANT:**Amisec (Pty) Ltd trading as ARTsolar**

Unit 11,
124 Escom Road,
New Germany,
Pinetown
3610

REASONS FOR THE APPLICATION:

- Currently no protection exists for photovoltaic module manufacturers in the SACU;
- To retain the remaining local production capacity and jobs to enable the local industry to significantly grow as there are a number of foreign companies looking at investing in PV plants abroad since China’s PV industry has exceeded demand in Q1 2016;
- A number of photovoltaic module/panel manufacturers had ceased their production operations in the SACU region due to high competition from low-priced imports; and
- Unlike USA and Europe, South Africa does not have anti-dumping duties to help protect local manufacturers.

PUBLICATION PERIOD:

Written representations must be submitted within **four (4) weeks** of the date of this notice.

Enquiries: ITAC Ref: 09/2017, Enquires: Ms Diphetogo Rathete and Ms

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