

Statutory Instrument No. 114 of 1989

CUSTOMS AND EXCISE DUTY ACT
(Cap. 50:01)

AMENDMENT OF SCHEDULES (NO. 56) NOTICE, 1989
(Published on 29th December, 1989)

IN EXERCISE of the powers conferred on the Minister of Finance and Development Planning by sections 50 and 51 of the Customs and Excise Duty Act, the Schedules to the Act are amended to the extent set out in the Schedule below.

SCHEDULE

Schedule No. 1 to the Act

HEAD- ING	SUBHEADING	C. D.	ARTICLE DESCRIPTION	STATIS- TICAL UNIT	RATE OF DUTY
35.03			By the substitution in sub-heading No. 3503.00.30 for check digit "1" of check digit "7".		
39.01			By the substitution for sub-heading No. 3901.10.10 of the following:		
	".05	0	Chlorinated	kg	free
	.10	1	Other liquids and pastes	kg	10% or 275u /kg less 90%"
			By the substitution for sub-heading No. 3901.20.10 of the following:		
	".05	5	Chlorinated	kg	free
	.10	1	Other liquids and pastes	kg	10% or 170u /kg less 90%"

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				UNIT	DUTY

By the insertion after sub-heading No. 3901.90.20 of the following:

".30	8	Other, chlorinated	kg	free"
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41.04

By the substitution in sub-heading No. 4104.29.90 for check digit "2" of check digit "1".

By the substitution in sub-heading No. 4104.39.10 for check digit "0" of check digit "8".

42.02

By the substitution in sub-heading No. 4104.39.90 for check digit "8" of check digit "6".

By the substitution in sub-heading No. 4202.22.90 for check digit "3" of check digit "1".

NOTE: A transposition error is rectified with retrospective effect to 1st January, 1988 and certain check digits are rectified.

39.17

By the insertion before sub-heading No. 3917.32.10 of the following:

".03	0	Artificial guts (sausage casings), seamed or with closed ends, unprinted	kg	free
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.05	7	Artificial guts (sausage casings), seamed or with closed ends, printed	kg	10%
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HEAD- ING	SUBHEADING	C. D.	ARTICLE DESCRIPTION	STATIS- TICAL UNIT	RATE OF DUTY
NOTE: Specific provisions are made for certain artificial gut (sausage casings) of plastics. This amendment has retrospective effect to 1st January, 1988.					

40.05			By the substitution for sub-heading No. 4005.91.10 of the following:		
	".10	6	Plates and sheets of balata, gutta-percha or factice By the insertion after sub-heading No. 4005.91.20 of the following:	kg	30%
	".30	0	Other strip, self-adhesive, coated with glass microspheres	kg	free"
72.22			By the substitution for sub-heading No. 7222.20 of the following:		
	"7222.20		Bars and rods, not further worked than cold-formed or cold-furnished:		
	.05	4	Containing by mass 12 per cent or more of chromium, of a cross-sectional dimension not exceeding 13 mm	kg	free
	.10	0	Containing by mass 12 per cent or more of chromium, of a cross-sectional dimension exceeding 13 mm	kg	10%
	.20	8	Containing by mass less than 12 per cent of chromium, of a cross-sectional dimension not exceeding 13 mm	kg	5%

HEAD- ING	SUBHEADING	C. D.	ARTICLE DESCRIPTION	STATIS- TICAL UNIT	RATE OF DUTY
	.90	9	Other	kg	10% or 130u /kg less 90%*

NOTE: Certain transposition errors are rectified. The reduction in the rates of duty in respect of subheadings Nos. 4005.91.30, 7222.20.05 and 7222.20.20 has retrospective effect to 1st January, 1988

Section XVI By the substitution for Additional Note 1 of the following:

- "1. The Director may in his discretion and in the circumstances which he deems exceptional, in respect of an unassembled or disassembled machine, allow the provisions of General Note A.(2)(a) to be applied also to an unassembled or disassembled machine of this Section which is imported in more than one consignment if the mass of such machine exceeds 500 t or is of a measurement for shipping purposes exceeding 500 m³, provided the application to enter the unassembled or disassembled machine in terms of this Note reaches the Director prior to the importation of the first consignment."

NOTE: Additional Note 1 to section XVI is restated.

Part 4 of Schedule No. 1 to the Act

NOTES By the substitution for Note 7(k) of the following:

- "(k) which are capital goods, which the Permanent Secretary, Ministry of Commerce and Industry may allow by specific permit, imported in such quantities, at such times and subject to such conditions, including conditions relating to the production costs of goods exported and requiring that at least 15 per cent of the total value of

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all the goods manufactured by the person to whom such permit is issued, calculated according to the ex factory price, shall be exported by him during a specified period, as the Permanent Secretary, Ministry of Commerce and Industry may determine in such permit,"

By the insertion after Note 9 to the following:

- "10(a) Notwithstanding the provisions of Note 7(k), the amount of surcharge withdrawn in terms of any permit issued by the Permanent Secretary, Ministry of Commerce and Industry, under the provisions of the said Note, shall remain due and shall constitute a debt to the State by the person to whom the permit is issued and as security for such debt the capital goods imported in terms of such permit, shall be subject to a lien under the provisions of section 114 which shall apply mutatis mutandis from the time such capital goods are entered for home consumption until the said Permanent Secretary certifies that the conditions specified in such permit have been complied with, or, if the said Permanent Secretary withdraws such permit and the surcharge withdrawn has been paid in full to the Director: Provided that the Director may at any time require any other security or additional security in the amount and in the form as he may determine.
- (b) Such capital goods shall be subject to such lien as if detained in accordance with the provisions of section 114(2).
- (c) Any person to whom such permit is issued shall-
- (i) display a notice to the effect that such capital goods are subject to such lien, in a prominent place on the premises where such capital goods are installed, and

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(ii) furnish the particulars at such times and keep a record in such form relating to such capital goods as the Director may prescribe."

NOTE: The Note in respect of capital goods is restated and a new Note explaining the conditions in respect of exemption of surcharge on capital goods, is inserted. The amendment has retrospective effect to 10th May, 1989.

Schedule No. 2 to the Act

TARIFF HEADING/ SUBHEADING	DESCRIPTION OF GOODS	CHARGE	IMPORTED FROM, ORIGINATING IN OR SUPPLIED BY
8523.13.10	Video cassette tapes	259u each	Republic of Korea
		348u each	Hong Kong

NOTE: A provisional charge in relation to antidumping duty is imposed on video cassette tapes imported from, originating in or supplied by the Republic of Korea and Hong Kong.

Schedule No. 3 to the Act

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
316.17				By the substitution for tariff heading No. 00.00 of the following:	
	*00.00	01.00	09	Components, in such quantities and at such times as the Permanent Secretary, Ministry of Commerce and Industry, may allow by	Full duty"

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
316.17				By the substitution for tariff heading No. 00.00 of the following:	
	00.00	01.00	09	Components, in such quantities and at such times as the Permanent Secretary, Ministry of Commerce and Industry, may allow by specific permit, for the manufacture of black and white or other monochrome television receivers, whether or not combined, in the same housing, with radio-broadcast receivers or sound or video recording or reproducing apparatus, of a value for excise duty purposes not exceeding 13 000u, under a manufacturing programme approved by the Permanent Secretary, Ministry of Commerce and Industry	Full duty"

MADE this 6th day of December, 1989.

F.G. MOGAE,
*Minster of Finance and
Development Planning.*