Statutory Instrument No. 6 of 1996

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

AMENDMENT OF SCHEDULES (NO. 5) NOTICE, 1996

(Published on 12th January, 1996)

IN EXERCISE of the powers conferred on the Minister of Finance and Development Planning by sections 52 and 53 of the Customs and Excise Duty Act, the Schedules to the Act are proposed to be amended to the extent set out in the Schedule below.

Schedule No. 1 to the Act

Section XXII — By the insertion after Section XXI of the following:

"SECTION XXII

SPECIAL CLASSIFICATION PROVISIONS

CHAPTER 98

ORIGINAL EQUIPMENT COMPONENTS

ADDITIONAL NOTES:

1. Motor vehicle manufacturers importing goods provided for in this Chapter must be approved by the Permanent Secretary, Ministry of Commerce and Industry and must be registered with the Director as a Manufacturing warehouse.

2. Automotive components described in any other Chapter of Schedule No. 1 shall, if imported by a motor vehicle manufacturer approved by the Permanent Secretary, Ministry of Commerce and Industry for the assembly or manufacture of motor vehicles referred to in this Chapter, be deemed to be original equipment components classifiable in this Chapter.

3. Original equipment components shall include all automotive components to be utilised in the assembly or manufacture of specified motor vehicles but excluding replacement and after market parts and materials and consumables as defined in Note 4.

4. (a) "Materials" and "consumables" are goods classifiable in headings Nos. 27.00 to 38.00 (excluding headings Nos. 30.05 to 30.06), 39.01 to 39.16, 39.17 (excluding cut-to-size, with fittings or profile shapes), 39.18 to 39.21, 40.01 to 40.05, 40.06 (excluding profile shapes), 40.07, 40.08 to 40.09 (excluding cut-to-size, fittings and profile shapes), 41.00, 43.01 to 43.02, 44.01 to 44.13, 45.00 to 47.00, 48.01 to 48.15, 50.00 to 55.00, 56.00 to 57.00 (excluding made-up articles), 58.00, 59.00 (excluding made-up articles), 60.00, 70.01 to 70.05, 72.00, 73.03 to 73.06 (excluding cut-to-size) 73.12 to 73.14, 73.15 (excluding made-up articles), 74.01 to 74.10, 74.11 to 74.12 (excluding cut-to-size), 74.13 to 74.14, 75.01 to 75.01 to 75.06, 75.07 (excluding cut-to-size and fittings), 76.01 to 76.07, 76.08 (excluding cut-to-size), 78.01 to 78.04, 78.05 (excluding cut-to-size and fittings), 79.01 to 79.05, 79.06 (excluding cut-to-size and fittings), 80.01 to 80.05, 80.06 (excluding cut-to-size and fittings), 81.00 (excluding articles thereof) and 85.44 (excluding made-up articles).

   (b) "consumables" mean those goods which are used in the manufacture of motor vehicles and components therefor, but do not form part of such motor vehicles or components.

   (c) Any reference in this Chapter to a tariff heading comprising two digits followed by a point and two noughts (for example 01.00) shall, for the purposes of Note 5 to this Part, be construed as referring to all tariff headings in Part 1 of this Schedule the first two digits of which correspond to the two digits referred to in this Part.

5. Original equipment components for motor vehicles enumerated under heading No. 98.01 shall not include automotive components of which —

(i) the floor panels, body sides or roof panels are permanently attached to each other (excluding cabs);
(ii) the engine and transmission assembles, axles, radiators, suspension components, steering mechanisms, braking or electrical equipment or instrumentation are fitted to such floor pans or chassis frames; or
(iii) the cabs are fitted to chassis frames (excluding such vehicles of a mono-built construction of a vehicle mass exceeding 2 000 kg.

6. The expression "vehicle mass' shall be taken not to include the mass of any fuel or water but to include the mass of any lubricants, spare wheel and tools which are supplied as standard equipment.

7. The expression "mono-built" shall be taken to mean a vehicle —

(i) without a chassis frame in which the body itself supports the engine, transmission and axles; or
(ii) of unitary body construction, with or without certain elements of the chassis incorporated in the body.

HEADING	SUB-HEADING	C. D.	ARTICLE DESCRIPTION	STATIS-TICAL UNIT	RATE OF DUTY
98.01	9801.00		Original equipment components:		
	9801.00.10	0	For road tractors for semi-trailers of sub-heading No. 8701.20 of a vehicle mass not exceeding 1 600 kg	kg	49%
	.15	0	For road tractors for semi-trailers of sub-heading No. 8701.20 of a vehicle mass exceeding 1 600 kg	kg	49%
	.20	7	For motor vehicles for the transport of ten or more persons including the driver, of heading No. 87.02 of a vehicle mass not exceeding 2 000 kg	kg	49%
	.25	8	For motor vehicles for the transport of ten or more persons including the driver of heading No. 87.02 of a vehicle mass exceeding 2 000 kg (excluding vehicles of subheading No. 8702.10.10)	kg	49%
98.01	.30	4	For motor cars (including station wagons) of heading No. 87.03	kg	49%

HEADING	SUB-HEADING	C. D.	ARTICLE DESCRIPTION	STATIS-TICAL UNIT	RATE OF DUTY
	.40	1	For motor vehicles for the transport of goods of heading No. 87.04 of a vehicle mass not exceeding 1 600 kg without rear body or 2 000 kg with rear body or of a G.V.M. not exceeding 3 500 kg (excluding vehicles designed for off-highway use)	kg	49%
	.45	2	For motor vehicles for the transport of goods of heading No. 87.04, of a vehicle mass exceeding 1 600 kg without rear body or 2 000 kg with rear body or of a G.V.M. exceeding 3 500 kg (excluding vehicles designed for off-highway use)	kg	49%
98.01	.50	9	For chassis fitted with engines of heading No. 87.06, for motor vehicles of headings Nos. 87.01 to 87.05 of a vehicle mass not exceeding 1 600 kg or of a G.V.M. not exceeding 3 500 kg (excluding vehicles designed for off-highway use)	kg	49%
	.55	8	For chassis fitted with engines of heading No. 87.06 of a vehicle mass exceeding 1 600 kg of a G.V.M. exceeding 3 500 kg, for the motor vehicles of headings Nos. 87.01 to 87.05 (excluding vehicles designed for off-highway use)	kg	49%"

Part 2A of Schedule No. 1

TARIFF ITEM	TARIFF HEADING	ARTICLE DESCRIPTION	RATE OF DUTY EXCISE	RATE OF DUTY CUSTOMS
117.00, 117.01, 117.05, 117.21, 117.22, 117.24, 117.26, 117.27, 117.29 and 117.30		By the deletion of tariff items 117.00, 117.01, 117.05, 117.21, 117.22, 117.24, 117.26, 117.27, 117.29 and 117.30.		

Part 4 of Schedule No. 1

Notes By the substitution for Note 7 (a)(i) of the following:

"(a) (i) which are entered in terms of rebate items 306.02/42.06, 311.02/63.09, 312.03/66.03, 316.17, 317.02, 317.03, 317.04, 317.05 and 317.13 of Schedule No. 3, any rebate item in Part 2 of Schedule No. 3 and rebate items 405.01/00.00/02.00, 405.04, 405.05, 406.00, 407.00, 408.00, 409.00, 410.03/00.00/04.00, 412.02, 412.03, 412.04, 412.07, 412.09, 412.10, 412.11, 412.12, 412.13, 412.16, 412.17, 412.26, 412.27, 412.28, 460.11/63.09/01.04, 460.14/7117.19, 460.17/87.00, 470.00, 480.00 and 490.00 of Schedule No. 4;"

Schedule No. 3 to the Act

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
316.13				By the deletion of the Note.	
317.02				By the insertion after rebate code 01.00 to tariff heading No. 00.00 of the following:	
		"02.00	04	Components, for the manufacture of motor vehicles for the transport of ten or more persons, including the driver, with compression-ignition internal combustion piston engines (diesel or semi-diesel) fitted with interior parcel racks, air conditioner, toilet, kitchen units complete with electrical power outlets, refrigerators, jet vents and reading lights	Full duty
		03.00	09	Components, for the manufacture of shuttle cars for use in underground mines, low-construction flame-proof vehicles, equipped with control machanisms both in the front and rear, for use in under-ground mines	Full duty

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
		04.00	03	Components, for the manufacture of off-the-road logging trucks	Full duty"
317.03 and 317.04				By the substitution for rebate item 317.03 of the following:	
"317.03				Industry: Road tractors, motor cars and other motor vehicles principally designed for the transport of persons including station wagons, motor vehicles for the transport of goods and chassis fitted with engines for the motor vehicles of heading Nos. 87.01 to 87.05 Note: This rebate item only covers automotive components excluded from Chapter 98 of Schedule No. 1 by virtue of Note 5 to the said Chapter in such quantities and at such times and subject to a manufacturing programme as agreed upon by the members of the common customs area and subject to such further conditions as determined by such members in terms of a specific permit issued by the Permanent Secretary, Ministry of Commerce and Industry	
317.03	87.00	01.02	21	Disassembled for road tractors for semi-trailers of subheading No. 8701.20	Full duty less 24,5%
		02.02	24	Disassembled for motor vehicles for the transport of ten or more persons, including the driver of heading No. 87.02	Full duty less 24,5%
		03.02	28	Disassembled for motor cars (including station wagons) of heading No. 87.03	Full duty less 24.5%

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
		04.02	23	Disassembled for motor vehicles for the transport of goods of heading No. 87.04	Full duty less 24,5%
		05.02	28	Disassembled chassis fitted with engines of heading No. 87.06, for motor vehicles of headings Nos. 87.01 to 87.05 (excluding those for motor vehicles of subheading No. 8704.10)	Full duty less 24,5%
317.04				Industry: Specified motor vehicles Notes: 1. The extent of rebate provided for in this item shall not exceed the duty payable on the goods imported in terms of Chapter 98 of Schedule No. 1. 2. Registrants under rebate item 317.04 shall submit accumulative quarterly returns to the Director and any customs duty due shall be paid on a provisional payment within thirty days from the closing date of the quarter provided that at the end of an accounting period as defined in Note 3, the duty due on the final return so calculated shall be brought to account on a bill of entry for home consumption, provided further that the final payment shall be made within thirty days from the closing date of the relative accounting period.	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
				3. The accounting periods for the purposes of rebate codes 01.04 to 05.06 to rebate item 317.04 shall be as follows: (a) The first accounting period for original equipment components entered under this rebate item, those received from local component manufacturers or suppliers and motor vehicles produced shall be for five periods commencing on 1 September 1995, consisting of a four months' period followed by four periods of three months each and shall end on 31 December 1996. (b) The second and ensuing accounting periods shall be on a quarterly basis commencing on 1 January 1997. 4. "Import rebate credit certificates" means certificates issued by the Permanent Secretary, Ministry of Commerce and Industry in respect of eligible exports of goods defined in Note 5 and duty free allowance as defined in Note 11. 5. "Eligible exports" means exports of any of the following which are new and unused at the time of export:	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
				(a) Specified motor vehicles defined in Note 7 exported by a manufacturing warehouse.	
				(b) Automotive components as defined in Note 6 and automotive tooling as defined in Note 10 on production of a certificate issued by the Permanent Secretary, Ministry of Commerce and Industry to be eligible to earn import rebate credits provided such components were wholly or partly manufactured in the common customs area, not less than twenty five per cent of the factory of works cost of the component is represented by the sum of - the cost of labour, the value of materials and the factory overhead expenses incurred in the common customs area and the final process of manufacture was carried out in the common customs area. Painting and packing operations are not regarded as a final process of manufacture.	
				(c) For purposes of import rebate credit certificates "automotive tooling" shall be regarded as components.	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
				6. "Automotive components" means a new article (i.e. a single entity) which can be identified as being of a generic type mainly used in the manufacture of specified motor vehicles or original equipment automotive components including carpet cut to floorpan shape, leather seat covers cut to size, unfinished articles including blanks and rough castings, having the essential character of automotive components but excluding disassembled new motor vehicles. 7. "Specified motor vehicles" means - (a) road tractors for semi-trailers of subheading No. 8701.20; (b) motor vehicles for the transport of ten or, more persons, including the driver, of heading No. 87.02 (excluding vehicles of subheading No. 8702.10.10); (c) motor cars (including station wagons) of heading No. 87.03; (d) motor vehicles for the transport of goods of heading No. 87.04 (excluding motor vehicles for off-highway use); and (e) chassis fitted with engines of heading No. 87.06, for motor vehicles of headings Nos. 87.01 to 87.05 (excluding those for motor vehicles of subheading No. 8704.10).	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
317.04					
				8. "The value of any import rebate credit certificates in respect of eligible exports" means the foreign currency earnings as defined in Note 9 of such goods at the place of despatch from the common customs area less the foreign currency usage as defined in Note 18.	
				9. The expression "foreign currency earnings" means the free carrier value (i.e. free-on-board (f.o.b.) and, in the case of overland transport through exit points in the common customs area, free-on-rail (f.o.r.), or free-on-truck (f.o.t.), at the border) of export sales. For the purposes of the definition the following shall not form part of the foreign currency earnings, namely:	
				(a) Freight and insurance costs in respect of eligible exports, outside the common customs area, regardless whether or not these costs have been paid for in the common customs area;	
		05.02	28	9. (b) any expenditure or costs, of whatever nature incurred by an exporter or claimant for any activity, including services performed, or to be performed outside the common customs area for any export sale, including, but without limiting it to -	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
317.04				i commission paid to an overseas representative; ii Costs incurred in the marketing, advertising, positioning, warehousing, repairing and clearance of products sold in terms of an export sale; and iii any taxes, import and excise duties. This is regardless of whether, or not, such expenditure or costs have been paid, or are payable, in the common customs area, provided that, in the event of any dispute arising as to the determination of foreign currency earnings, the Permanent Secretary, Ministry of Commerce and Industry may, within his sole discretion, determine a national foreign curency earning. 10. "Automotive tooling" means - - dies for drawing or extruding metal, of subheading No. 8207.20; - tools for pressing, stamping or punching, of subheading No. 8207.30;	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
317.04				- work holders of subheading No. 8466.20; - assembly jigs of subheading No. 8479.89; and - injection moulds, moulding patterns and moulds of heading No. 84.80, where the principal use is for the manufacture of specified motor vehicles and automotive components for such motor vehicles. 11. "Duty free allowance" means 27 per cent of the value for duty free allowance purposes as defined in Note 12 plus in respect of each motor vehicle with a value for duty free allowance purposes of less than UA40 000, 0,002 per cent per UA1 value in respect of each UA1 value less than UA40 000. 12. "The value for duty free allowance purposes" means the price to major dealers (excluding excise duties and value added tax) less a percentage of such price determined by the Permanent Secretary, Ministry of Commerce and Industry in respect of all motor vehicles produced in terms of rebate codes 01.04 to 05.06 to rebate item 317.04 during a quarter and ready for sale provided such value shall be reduced by the value originally allocated to any such motor vehicles exported.	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
317.04				In the case of new models for which prices have not yet been determined in the market place, the Permanent Secretary, Ministry of Commerce and Industry may determine a price in consultation with the motor vehicle manufacturer.	
				13. For purposes of Note 12 the Permanent Secretary, Ministry of Commerce and Industry shall subject to such conditions as he may impose, issue an import rebate credit certificate in respect of the duty free allowance applicable to a motor vehicle manufacturer within fourteen days after the closing date of the quarter.	
				14. The duty free allowance as reflected on an import rebate credit certificate in any period shall in the first instance be utilised by such manufacturer to reduce the value of original equipment components entered under rebate codes 01.04 to 05.06 to rebate item 317.04. Any excess duty free allowance on such certificate may be utilised by such manufacturer to reduce the value of motor vehicles imported under rebate item 460.17.	
				15. (i) The motor vehicle manufacturer shall obtain certificates (forms CE 190) as prescribed by rule declaring the foreign currency usage in respect of components for use in the manufacture of motor vehicles,	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
317.04				purchased from any person in the common customs area which are approved and registered with the Permanent Secretary, Ministry of Commerce and Industry . Such certificates shall be obtained at the times and in the manner as prescribed by the Director from time to time. (ii) If such certificates are not obtained or duly completed, the foreign currency usage in respect of such goods shall be deemed to be price at which such goods were purchased by the motor vehicle manufacturer. 16. (i) The foreign currency earnings in respect of exports by local component manufacturers, suppliers or other exporters shall be supported by a certificate (form CE 190) as prescribed by rule declaring the foreign currency usage in respect of imported automotive components and imported materials excluding consumables incorporated into each type of automotive component and automotive tooling exported. (ii) The foreign currency earnings in respect of motor vehicles, automotive components and automotive tooling exported by a motor vehicle	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
317.04				manufacturer shall be supported by a certificate (form CE 190) as prescribed by rule declaring the foreign currency usage in respect of imported automotive components and imported materials excluding consumables incorporated into such exports. (iii) If such certificates duly completed are not obtained the foreign currency usage in respect of such motor vehicles, automotive components and automotive tooling exported shall be deemed to be the full value of the foreign currency earning. (iv) The value of precious metals in respect of catalytic converters whether or not incorporated in exhaust systems shall be restricted to 90% of the value of South African precious metals incorporated therein. 17. For the purposes of Notes 15 and 16 the Permanent Secretary, Ministry of Commerce and Industry may prescribe the method and basis of calculation and shall verify the correctness of the foreign currency usage declared on such certificates.	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
317.04					
				18. "Foreign currency usage" means the value for customs duty purposes of any imported goods (excluding cunsumables, petrol, distillate fuels, lubricating grease and prepared engine, gearbox, streering case and drive-axle lubricating oils) imported by or purchased from any person in the common customs area and used in the manufacture or assembly of automotive components, motor vehicles and automotive tooling.	
				19. In addition to any liablilty of component manufacturers and suppliers to declare the correct foreign currency usage motor vehicle manufacturers acquiring such foreign currency usage shall be liable for any discre-pancies resulting from the underdeclaration of foreign currency usage by such component manu-facturers and suppliers.	
				20. The Permanent Secretary, Ministry of Commerce and industry may issue import rebate credit certificates to exporters approved by him in respect of eligible exports as defined in Note 5 exported provided the under-mentioned conditions are complied with before any such certificate is issued:	
				20. (a) Such goods were packed and exported under customs supervision; and	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
				(b) all export documentation supported by duly completed forms CE 190 and proof that payment for the goods exported has been received are produced to the Permanent Secretary, Ministry of Commerce and Industry not later than twelve months from the date of the export bill of entry.	
				Such certificates shall be valid for a period of twelve months from the date of first issue provided that no such certificate shall be valid after 31 August 2002.	
				21. For the purposes of Note 20 the Permanent Secretary, Ministry of Commerce and Industry may -	
				(a) prescribe the method and basis on which applications for import rebate credit certificates and the substantiation and verification of such applications, shall be based. All documents which support or may support an application for an import rebate credit certificate in terms of the scheme must be kept for a period of not less than five years from the date of the certificate and must be available and produced to the Ministry of Commerce and Industry on request for purposes of verification;	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
317.04				21. (b) for the period 1 September 1995 to 31 December 1995 under such circumstances as he may prescribe issue provisional import rebate credit certificates before proof of payment is produced not later than twelve months from the date of the export bill of entry.	
				22. In addition to the liability of suppliers or component manufacturers to declare the correct foreign currency usage and of exporters to declare the correct foreign currency earnings, the person in whose name an import rebate credit certificate is issued shall be liable for any discrepancies resulting from the under or over declaration of foreign currency usage or earnings or any other other incorrect information supplied, for whatever reason, which resulted in the issue of an incorrect certificate.	
				23. The Permanent Secretary, Ministry of Commerce and Industry shall specify on the import rebate credit certificate whether automotive components, automotive tooling or specified motor vehicles as defined in Note 7 were exported or whether the certificate is in respect of the duty free allowance.	
				24. Import rebate credit certificates may only be used -	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
				(a) by motor vehicle manufacturers to reduce the value or imported automotive components and specified motor vehicles; or (b) by other importers to claim a refund of import duties paid on automotive components and specified motor vehicles imported by the person in whose name the certificate is issued. 25. On application for an import rebate credit certificate the applicant may by means of a letter of authorisation name the beneficiary of such certificate. 26. Import rebate credit certificates obtained by local component manufacturers, suppliers or other exporters in respect of eligible exports as defined in Note 5 exported may subject to Notes 24 and 25 only be transferred once. 27. For purposes of this rebate item - (i) the value for customs duty purposes of original equipment components imported (excluding complete consignments not yet unboxed as per specific bills of entry) shall be included in the period during which such goods	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
				were entered for warehousing but excluding the value of original equipment components incorporated in motor vehicles exported. For purposes of this note the value of the complete consignments excluded shall be accounted for in the ensuing quarter);	
				(ii) the foreign currency usage of original equipment components acquired from any person in the common customs area during a month shall be recorded in the ensuing month. For example goods received during August 1995 shall be accounted for in September 1995.	
				28. For the purposes of this rebate item the extent of rebate of "Full duty less the duty calculated in terms of Note 28" means -	
				(i) the value for customs duty purposes as prescribed in Note 27(i);	
				Less	
				(ii) the value for customs duty purposes of -	
				(a) imported automotive components used in the manufac-	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
				turer of original equipment components by such motor vehicle manufacturer and supplied to other motor vehicle manufacturers or exported;	
				(b) original equipment components returned to overseas suppliers;	
				(c) original equipment components transferred to parts and accessories; and	
				(d) original equipment components which have been incorporated in motor vehicles exported,	
				Plus	
				(iii) the foreign currency usage of original equipment components received by a motor vehicle manufacturer from any person in the common customs area during the accounting period subject to Note 27(ii),	
				Plus	
				(iv) the duty free allowance originally allocated to motor vehicles at the time of production but which were exported,	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
				Less (v) the value reflected on an import rebate credit certificate in respect of the duty free allowance issued in terms of Note 13, Less (vi) the value of import rebate credit certificates.	
	98.01	01.04	45	Original equipment componenents, for the manufacture of road tractors for semi-trailers of subheading 8701.20 of a vehicle mass not exceeding 1 600 kg	Full duty less the duty calculated in No. terms of Note 28
		02.04	47	Original equipment components, for the manufacture of motor vèhicles for the transport of ten or more persons, including the driver, of heading No. 87.02 of a vehicle mass not exceeding 2 000 kg	Full duty less the duty calculated in terms of Note 28
		02.05	44	Original equipment components, for the manufacture of motor cars (including station wagons) of heading No. 87.03	Full duty less the duty calculated in terms of Note 28
		04.04	49	Original equipment components, for the manufacture of motor vehicles for the transport of goods of heading No. 87.04 of a vehicle mass not exceeding 1 600 kg without rear body or 2 000 kg with rear body or of a G.V.M. not exceeding 3 500 kg (excluding motor vehicles of subheading No. 8704.10)	Full duty less the duty calculated in terms of Note 28

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
		05.06	43	Original equipment components, for the manufacture of chassis fitted with engines of heading No. 87.06 of a vehicle mass not exceeding 1 600 kg or of a G.V.M. not exceeding 3 500 kg, for motor vehicles of headings Nos. 87.01 to 87.05)	Full duty less the duty calculated in terms of Note 28
		06.04	48	Compression ignition engines, not provided for in the above rebate codes, of a cubic displacement of 3 700 cc or more but not exceeding 22 000 cc including cylinder blocks, cylinder heads, crankshafts and camshafts, whether or not fitted with components, for such engines in such quantities, at such times and subject to such conditions as the Permanent Secretary: Ministry of Commerce and Industry, on the recommendation of the Board on Tariffs and Trade, may allow by specifio permit.	Full duty less 30%
		07.04	42	Transmissions, not provided for in the above rebate codes, designed to operate without torque converters or fluid flywheels for vehicles of a G.V.M. of 7 500 kg or more including main housings, shafts and gears, whether or not fitted with any components, for such transmissions in such quantities, at such times and subject to such conditions as the Permanent Secretary: Ministry of Commerce and Industry, may allow by specific permit	Full duty less 30%

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
		08.04	47	Driving axles, not provided for in the above codes, with differentials whether or not including foundation brakes, wheel hubs and brakedrums for vehicles of a G.V.M. of 16 000 kg or more (other than vehicles for the transport of persons) including main axle housings, shafts and gears, whether or not fitted with any components, for such	Full duty less 30%
		08.04	47	driving axles, in such quantities, at such times and subject to such conditions as the Permanent Secretary, Ministry of Commerce and Industry, may allow by specific permit.	
		09.04	41	Cabs or bodies, not provided for in the above rebate codes, fitted with bonnets, doors and tailgates whether or not painted or trimmed or fitted with any components, in such quantities, at such times and subject to such conditions as the Permanent Secretary, Ministry of Commerce and Industry, may allow by specific permit.	Full duty less 20%
		10.04	44	Pneumatic tyres, not provided for in the above rebate codes, whether or not fitted to wheel rims, in such quantities, at such times and subject to such conditions as the Permanent Secretary, Ministry of Commerce and Industry, may allow by specific permit	Full duty less 30%
		90.04	43	Original equipment components not provided for in the above rebate codes	Full duty"

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
317.06				By the insertion after rebate code 02.00 to tariff heading No. 00.00 of the following:	
	03.00	06		Automotive components for use in the manufacture of original equipment components as defined in Chapter 98 of Schedule No. 1 for supply to a motor vehicle manufacturer registered under rebate item 317.04 imported by component manufacturers approved by the Ministry of Commerce and Industry Provided that - (i) such component manufacturer shall submit a quarterly return to the Controller regarding all goods entered under this rebate item together with a schedule supported by copies of bills of material reflecting the actual number of automotive component and the actual number of original equipment components manufactured as well as the quantity of each original equipment component supplied to motor vehicle manufacturers; (ii) the quarterly return shall be substantiated by statements from motor vehicle manufactureres to whom such components were supplied with specific reference to the part numbers, description and quantity received in respect of each part number during the same period; and	Full duty

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
				(iii) the statements by the motor vehicle manufacturers are certified by a customs and excise officer."	
				Schedule No. 4 to the Act	
460.17				By the insertion after tariff heading No. 87.00 of the following:	
	"8701.20	01.06	63	Road tractors for semi-trailers, cleared by motor vehicle manufacturers approved by the Permanent Secretary, Ministry of Commerce and Industry in terms of Additional Note 1 to Chapter 98 of Schedule No.1	Not exceeding the duty as calculated in terms of the notes to this rebate item
	87.02	01.04	44	Motor vehicles for the transport of ten or more persons, including the driver, cleared by motor vehicle manufacturers approved by the Permanent Secretary, Ministry of Commerce and Industry in terms of Additional Note 1 to Chapter 98 of Schedule No. 1	Not exceeding the duty as calculated in terms of the notes to this rebate item
	87.03	01.04	40	Motor cars (including station wagons), cleared by motor vehicle manufacturers approved by the Permanent Secretary, Ministry of Commerce and Industry in terms of Additional Note 1 to Chapter 98 of Schedule No. 1	Not exceeding the duty as calculated in terms of the notes to this rebate item
460.17	87.04	01.04	47	Motor vehicle (for the transport of goods (excluding motor vehicles of subheading No. 8704.10) cleared by motor vehicle manufacturers approved by the Permanent Secretary, Ministry of Commerce and Industry in terms of Additional Note 1 to Chapter 98 of Schedule No. 1	Not exceeding the duty as calculated in terms of the notes to this rebate items

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
	87.06	01.04	44	Chassis fitted with engines, for motor vehicles of headings Nos. 87.01 to 87.05 (excluding those for vehicles of subheading No. 8704.10) cleared by motor vehicle manufacturers approved by the Permanent Secretary, Ministry of Commerce and Industry in terms of Additional Note 1 to Chapter 98 of Schedule No. 1	Not exceeding the duty as calculated in terms of the notes to this rebate item
				Notes:	
				1. For the purposes of this rebate item the extent of rebate "not exceeding the duty as calculated in terms of the note to this rebate item" means the customs duty payable must be calculated on a value determined as follows:	
460.17				(i) The value for customs duty purposes of motor vehicles imported less the value reflected on an import rebate credit certificate in the name of the importer in respect of excess duty free allowance adjusted in terms of Note (iii) and less the value of import rebate credit certificates in respect of automotive components, specified motor vehicles and automotive tooling exported as adjusted in terms of Note (ii).	
				(ii) The value of import rebate credit certificates in respect of eligible automotive components, automotive tooling and motor	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
				vehicles manufactured under rebate codes 06.04 to 90.04 to rebate item 317.04 exported shall be reduced by twenty-five per cent.	
460.17				(iii) The value of import rebate credit certificates in respect of excess duty free allowance shall be reduced by twenty-five per cent.	
				2. These notes are only applicable to the ordinary duty specified in Part 1 of Schedule No.1".	

MADE this 21st day of December, 1995.

F.G. MOGAE,
Vice-President and Minister of Finance and Development Planning.