

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

AMENDMENT OF SCHEDULES (NO. 27) NOTICE, 1994
(Published on 18th November, 1994)

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 No. 1 to the Act

HEADING	SUB-HEADING	C. D.	ARTICLE DESCRIPTION	STATIS- TICAL UNIT	RATE OF DUTY
07.02 and 07.03			By the substitution for headings Nos. 07.02 and 07.03 of the following:		
"07.02	0702.00	0	TOMATOES, FRESH OR CHILLED.	kg	15%
07.03			ONIONS, SHALLOTS, GARLIC, LEEKS AND OTHER ALLIACEOUS VEGETABLES, FRESH OR CHILLED.		
	0703.10	9	Onions and shallots	kg	15%
	0703.20	3	Garlic	kg	325u/kg
	0703.90	5	Leeks and other alliaceous vegetables	kg	15%"
07.07			By the substitution for heading No. 07.07 of the following:		
"07.07	0707.00	9	CUCUMBERS AND GHERKINS, FRESH OR CHILLED.	kg	15%"
07.08			By the substitution for sub-heading No. 0708.10 of the following:		
	"0708.10	7	Peas (<u>Pisum sativum</u>)	kg	15%
07.09			By the substitution for sub-heading No. 0709.20 of the following:		
	"0709.20	5	Asparagus	kg	15%"

HEADING	SUB-HEADING	C. D.	ARTICLE DESCRIPTION	STATIS- TICAL UNIT	RATE OF DUTY
			By the substitution for subheading No. 0709.51 of the following:		
	"0709.51	5	Mushrooms	kg	15%"
			By the substitution for subheading No. 0709.60 of the following:		
	"0709.60	3	Fruits of the genus <u>Capsicum</u> or of the genus <u>Pimenta</u>	kg	15%"
			By the substitution for subheading No. 0709.90 of the following:		
	"0709.90	7	Other	kg	15%"
07.12			By the substitution for subheading No. 0712.30 of the following:		
	"0712.30	7	Mushrooms and truffles	kg	20%"
			By the deletion of sub-headings Nos. 0712.90.30 and 0712.90.40.		
08.04			By the substitution for subheading No. 0804.30 of the following:		
	"0804.30	3	Pineapples	kg	15%"
			By the substitution for subheading No. 0804.50 of the following:		
	"0804.50	2	Guavas, mangoes and mangosteens	kg	15%"
08.07			By the substitution for heading No. 08.07 of the following:		
"08.07			MELONS (INCLUDING WATER-MELONS) AND PAPAWS (PAPAYAS), FRESH.		
	0807.10	5	Melons (including water-melons)	kg	15%
	0807.20	7	Papaws (papayas)	kg	15%"

HEADING	SUB-HEADING	C. D.	ARTICLE DESCRIPTION	STATISTICAL UNIT	RATE OF DUTY
08.09			By the substitution for sub-heading No. 0809.20 of the following:		
	"0809.20	7	Cherries	kg	15%"
08.10			By the substitution for sub-heading No. 0810.10 of the following:		
	"0810.10	2	Strawberries	kg	15%"
			By the substitution for sub-heading No. 0810.90 of the following:		
	"0810.90		Other:		
	.10	6	Granadillas and litchis	kg	15%
	.90	4	Other	kg	5%"
08.11			By the substitution for sub-heading No. 0811.10 of the following:		
	"0811.10	6	Strawberries	kg	20%"
			By the substitution for sub-heading No. 0811.90 of the following:		
	"0811.90	2	Other	kg	20%"
08.12			By the substitution for heading No. 08.12 of the following:		
"08.12			FRUIT AND NUTS, PROVISIONALLY PRESERVED (FOR EXAMPLE, BY SULPHUR DIOXIDE GAS, IN BRINE, IN SULPHUR WATER OR IN OTHER PRESERVATIVE SOLUTIONS), BUT UNSUITABLE IN THAT STATE FOR IMMEDIATE CONSUMPTION.		
	0812.10	0	Cherries	kg	20%
	0812.20	4	Strawberries	kg	20%
	0812.90	6	Other	kg	20%"
08.13			By the substitution for sub-heading No. 0813.40 of the following:		
	0813.40		Other fruit:		

HEADING	SUB-HEADING	C. D.	ARTICLE DESCRIPTION	STATISTICAL UNIT	RATE OF DUTY
	.10	4	Litchis, strawberries, granadillas, musk melons, papaws and cherries	kg	20%
	.90	2	Other	kg	6u/kg"
09.10			By the substitution for sub-heading No. 0910.10 of the following:		
	"0910.10		Ginger:		
	.10	1	Neither crushed nor ground	kg	15%
	.20	9	Crushed or ground	kg	20%"

Part 4 of Schedule No. 1 to the Act

Notes

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

- "(a) (i) which are entered in terms of rebate items 306.02/42.06, 3111.02/63.09, 316.17, 317.02, 317.03, 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;
- (ii) which, at the time of entry for home consumption, are free of customs duty under Part 1 of this Schedule, but otherwise comply in all respects with the provisions of rebate items 316.09/00.00, 316.17, 317.05 and 317.13/00.00 of Schedule No. 3 and rebate items 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, 470.00, 480.00 and 490.00 of Schedule No. 4;"

By the substitution for Notes 7(c) and 7(d) of the following:

- "(c) no paragraph;
- (d) no paragraph;"

By the substitution for Notes 7(m), 7(n) and 7(o) of the following:

HEADING	SUB-HEADING	C. D.	ARTICLE DESCRIPTION	STATISTICAL UNIT	RATE OF DUTY
			“(m) of heading No. 88.02: Provided that such goods entered for home consumption prior to 23 June, 1994 and disposed of before this date, shall render such goods liable to payment of surcharge;		
			(n) no paragraph;		
			(o) entered for home consumption by a body or person licensed to conduct a public radio or television service being magnetic tape (video) of heading No. 85.24; or”		
			By the substitution for Note 8 of the following:		
			“8. No paragraph.”		

Schedule No. 4 to the Act

REBATE ITEM	TARIFF HEADING	REBATE CODE	T. S.	DESCRIPTION	EXTENT OF REBATE
460.01				By the insertion after tariff heading No. 03.05 of the following:	
	“04.00	01.02	29	Dairy produce of headings Nos. 04.01, 04.02, 04.03, 04.04, 04.05 and 04.06 in such quantities and at such times as the Permanent Secretary, Ministry of Agriculture may allow by specific permit: Provided that such permit shall be issued under such conditions as may be agreed upon by the Governments of the Republic, Botswana, Lesotho, Swaziland and Namibia: Provided further that goods cleared in terms of this rebate item shall not be removed to the area of Botswana, Lesotho, Swaziland or Namibia	Full duty”

MADE this 11th day of October, 1994.

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