

CUSTOMS AND EXCISE DUTY ACT
(Cap. 50.01)

AMENDMENT OF SCHEDULE (NO. 2) NOTICE, 2001
(Published on 16th February, 2001)

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 Schedule to the Act are proposed to be amended to the extent set out in the Schedule below.

Schedule No. 1 Part 1 to the Act is being amended to introduce the SADC rates of duty with retrospective effect to 1 st September 2000 by substituting it with the attached schedule.

Part 1 of Schedule No. 1 to the Act

HEADING	SUB-HEADING	C. D.	ARTICLE DESCRIPTION	STATISTICAL UNIT	RATE OF DUTY GENERAL EU SADC		
17.01			By the substitution for heading No. 17.01 of the following:				
	"17.01		Cane or beet sugar and chemically Pure sucrose, in solid form:				
	1701.1		- Raw sugar not containing added flavouring or colouring matter:				
	1701.11	6	- - Cane sugar	kg	93,4/kg	93,4/kg	93,4/kg
	1701.12	2	- - Beet sugar	kg	93,4/kg	93,4/kg	93,4/kg
	1701.09		- Other:				
	1701.91		Containing added flavouring or colouring matter	kg	93,4/kg	93,4/kg	93,4/kg
	1701.99	3	- - Other	kg	93,4/kg	93,4/kg	93,4/kg
	84.08		By the substitution for heading No.84.08 of the following:				
	"84.08		Compression-ignition internal combustion piston engines (diesel or semi-diesel engines):				

HEADING	SUB- HEADING	C. D.	ARTICLE DESCRIPTION	STATIS- TICAL UNIT	RATE OF DUTY		
					GENERAL	EU	SADC
	8408.10	7	Marine propulsion engines	u	free	free	free
	8408.20	1	Engines of a kind used for die propulsion of vehicles of Chapter 87	u	free	free	free
	8408.90		Other engine:				
	.10	0	- Aircraft engines	u	free	free	free
	.20	8	- - Identifiable for use Solely or principally with railway locomotives	u	free	free	free
	.30	5	- Identifiable for use Solely or principally with road rollers	u	free	free	free
	.65	8	- Stationary engines, of a cylinder capacity of 300 cin ³ or more but less than 4 000 cm ³	u	15%	5%	15%
	.70	4	- Other stationary engines	u	free	free	free
	.90	9	- Other	u	15%	15%	15%
	84.09		By the deletion of sub-heading No.8409.99.38				

Part 1 of Schedule No. 2 to the Act

ITEM	TARIFF HEADING	CODE	C. D.	DESCRIPTION	REBATE ITEM ORIGINA- TING	IMPORTED FROM OR	RATE OF ANTI DUMPING DUTY
210.02				By the deletion of code 01.06 to tariff heading No.4809.20.			
				By the deletion of code 03.06 to tariff heading No.4809.20.			
				By the deletion of code 01.06 to tariff heading No.4816.20.			
				By the deletion of code 03.06 to tariff heading No.4816.20.			
211.11				By the deletion of tariff heading No.6109.10.			
218.01				By the substitution for codes 05.06, 06.06 and 07.06 to tariff heading No.9018.31 of the following:			
		"05.06	61	Disposable 2- hypo- dermic syringes of plastics, of a capacity of 2 mil		Almo rmugniser or B Braun Melsungen, Germany	11%
		"06.06	66	Disposable 2- hypo- dermic syringes of plastics, of a capacity of 5 mil		Almo Ermugniser or B Braun Melsungen, Germany	23,4%
		"07.06	60	Disposable 2- hypo- dermic syringes of plastics, of a capacity of 10 m/		Almo rmugniser or B Braun Melsungen, Germany	41%

Schedule No. 4 to the Act

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
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460.11

By the insertion after rebate code 03.00 to tariff heading No.00.00 of the following:

“05.00

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Textiles and textile articles falling within headings Nos. 52.04 to 52.12, 55.08 to 55.16, 60.01 and 60.02, 61.01 to 61.17, 62.01 to 62.17 and 63.02 to 63.08 which are produced in and imported from the Republic of Malawi, the Republic of Mozambique, the United Republic of Tanzania and the Republic of Zambia (MMTZ Member States of the Southern African Development Community), subject to compliance with the Notes hereto.

Notes:

1. Entry under rebate of duty in terms of this item of any goods classified under the specified headings shall —

(a) only apply to goods for which tariff quotas have been allocated and export certificates have been issued as provided in Appendix V of Annex 1 contained in Part B of the Schedule to the General Notes to Schedule No.1,

(b) be subject to —
(i) production of the following documents together with the other documents required in terms of section 39 —

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
				(aa) a valid original	
				(bb) proof that the Goods have been consigned directly from the premises of a certified exporter to a consignee in the Republic as contemplated in paragraph 1 of Article 6 of Appendix V;	
				(ii) Compliance with —	
				(aa) other provisions of Appendix V and Annex I relating to the exportation and importation of the goods concerned;	
				(bb) any relevant provision of rule 49 B	
				2. Production of the SADC Certificate of Origin prescribed in Appendix H to Annex I is not required in accordance with the provisions of Article 6(2) of the said Annex I.	
				3. If any goods are imported for the purpose of entry in terms of the provisions of the item and the SADC MMTZ Export Certificate is not produced at the time of entry to prove the originating status of the goods concerned, such goods shall be dealt with as provided in section 49(9).	

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
				<p>4. (a) Any officer administering the origin provisions of such goods shall, as contemplated in Article 6(3) of Appendix V and in accordance with the provisions of Rule 9(3) and (4) of Annex 1, in case of doubt concerning the statement contained in any SADC- MMTZ Certificate of Origin, submit a report, the certificate and all the relevant import documents to the Commissioner for the purpose of verification of the statement concerned.</p> <p>(b) The request for verification shall be submitted to the MMTZ issuing authority on the form contained in Part 2 of Appendix V.</p> <p>(c) Such officer shall, in accordance with the provisions of Rule 9(4) of Annex 1, where the enquiry solely concerns further evidence, allow release of the goods on the furnishing of adequate security to cover duty at the general rate of duty specified in Part 1 of Schedule No. 1 in respect of such goods.</p> <p>(d) If any goods for which the SADC- MMTZ Export Certificate has been issued are not exported within 20 working days from the date of issue, the goods shall, on importation into the Republic be liable to duty at the general rate of duty specified in Part 1 of Schedule No. 1 in respect of such goods.</p>	

Schedule Nos to the Act

DRAWBACK ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
516.01				By the deletion of heading No. 84.09.	

MADE this 5th day of February, 2001.

B. GAOLATHE,
*Minister of Finance and Development
Planning.*