SEVENTH PROTOCOL OF RECTIFICATIONS AND MODIFICATIONS

Items submitted by the Government of the Union of South Africa

The Government of the Union of South Africa has submitted the attached lists of items for inclusion in the draft Seventh Protocol of Rectifications and Modifications which is to be drawn up at the Twelfth Session.

The following notes are designed, in accordance with the recommendation of the CONTRACTING PARTIES (document L/600, paragraph 7), to facilitate checking by contracting parties of the South African submission.

"In submitting the attached list of rectifications to Schedule XVIII (Union of South Africa) for inclusion in the proposed Seventh Protocol of Rectifications and Modifications, the Government of the Union of South Africa wishes to provide the following explanations in accordance with paragraph 4 of document L/632 and paragraph 2 of document L/632/Add.1:

Items 70(a) Rectifications to accord with revised Customs Tariff nomenclature, introduced by the Customs Amendment Act of 1957. The concessions in respect of items 70(a), 86(b), 94, 124 and ex 136(b) were negotiated at Geneva in 1947. That in ex 136(b) with respect of item 167 was negotiated at Geneva in 1947 and modified by the Torquay Protocol.

Item 147 (f) Rectification to accord with revised Customs Tariff nomenclature introduced by the Customs Amendment Act of 1957. The addition of the words "but excluding tyres, rubber pneumatic tyre covers and tubes" to paragraph (iv) do not in any way affect the scope of the concession. The relative amendment to the Customs Tariff was made merely to clarify the existing position in regard to tractor tyres and tubes imported separately. This concession was negotiated at Geneva in 1947 and modified by the Torquay Protocol.

Items 76(6) These rectifications represent non-substantive changes designed to facilitate the removal of an inconsistency which remained after the total redrafting of the textile section of the Customs Tariff introduced in 1956, to which reference is made on page 155 in Part II of "International Trade, 1956." (c.f. Sixth Protocol of Rectifications and Modifications).
In the re-drafted textile section of the Customs Tariff, the provision for fabrics in the piece related in the first instance to cotton containing 50 p.c. or more by weight of cotton, and consequently the other fabrics mentioned were qualified as containing more than 50 p.c. by weight of the fibre specified in respect of the relative fabric, except in the case of rayon where, because of the wording of the GATT concession "containing 50 p.c. or more by weight of rayon" this now inconsistent qualification was meanwhile retained.

These rectifications are deemed necessary in order that the inconsistency may be removed from the Customs Tariff.

In support of the above statement that the rectifications are non-substantive in character, it may be mentioned that fabrics bordering on the 50 p.c. limit are usually analysed and in recent years no single instance of any fabric of exactly 50 p.c. rayon fibre by weight was established.

Item 82(1) At the time the concession was negotiated at Geneva in 1947, rubber tyres and tubes for aircraft, imported separately, were classified under items 260(a)(iii) and (b) of the Customs Tariff. This classification was notified for general information in the Government Gazette and was published in the Guide to the Customs Tariff of the Union of South Africa. The insertion of the words in brackets is merely to clarify the position.
ANNEX
GENEVA (1947) SCHEDULES

SCHEDULE XVIII - UNION OF SOUTH AFRICA

Part I - Most-Favoured-Nation Tariff

Item 70(a)

Delete this item and replace by:

"70 Hosiery:
(a) Socks:
(1) Of cotton or mixtures of cotton and other fibres (excluding socks provided for in sub-paragraph (a)(2))
   (i) for men.
       Note: There shall be no preference on this item.
   (ii) other
       Note: There shall be no preference on this item.
(2) Of worsted yarn, containing more than 50 per cent by weight of wool
    Note: There shall be no preference on this item.
(3) Other
    Note: There shall be no preference on this item."

Item 76(6)
Delete the note under this item

Item 76(7)
Delete the note under this item

Item 82(1)
This item shall read:

"82(1) Airships, aeroplanes and other aircraft, including completed parts thereof (but excluding tyres, rubber pneumatic tyre covers and tubes), and rubber cables for launching gliders free"
Item 86(b)

Delete this item and replace by:

"86(b) Motor cycles and sidecars, and parts and accessories; but excluding, if imported separately, electric lamp bulbs, batteries, tyres, rubber pneumatic tyre covers and tubes and parts specially provided for elsewhere in this item:

(i) Autocycles of which the engine capacity is less than 50 c.c. ad valorem 20 p.c.

(ii) Other ......................... ad valorem 20 p.c."

Item 94

Tariff Item number "94" shall read:

"94(1)".

Item 124

Sub-item (a)(ii) shall read:

"(a)(ii) Tin foil, and tin powder in bulk ............ Free."

Item ex 136(b)

Tariff item number "ex 136(b)" shall read:

"ex 136(a)"

Item 167

This item shall read:

"167 Earthenware and stoneware, n.e.e., including sanitary pans, urinals, sinks, lavatory basins and cisterns, of porcelain... ad valorem 20 p.c."
GENEVA (1947) SCHEDULES

SCHEDULE XVIII - UNION OF SOUTH AFRICA

Part II - Preferential Tariff

Item 86(b)

Delete this item and replace by:

"86(b) Motor cycles and sidecars, and parts and accessories; but excluding, if imported separately, electric lamp bulbs, batteries, tyres, rubber pneumatic tyre covers and tubes and parts specially provided for elsewhere in this item:

(i) Autocycles of which the engine capacity is less than 50 c.c. ....... ad valorem 15 p.c.

(ii) Other ......................... ad valorem 15 p.c."
Item 78(6)

The heading to this item shall read:

"(6) Fabric in the piece not being blanketting or canvas provided for under item 75(1), containing more than 50 per cent by weight of rayon—"

The sub-heading to paragraph (a) of this item shall read:

"(a) Woven, containing more than 50 per cent to 70 per cent by weight of rayon and 30 per cent to 50 per cent by weight of wool or of hair or of wool and hair mixed, and of which over 50 per cent of the fibres by weight have been carded or prepared, combed and spun on worsted machinery—"

Item 147(f)

Sub-item (iv) shall read:

"(iv) Parts of tractors but excluding tyres, rubber pneumatic tyre covers and tubes .................

Note: There shall be no preference on this item."
Item 78(6)

The heading to this item shall read:

"(6) Fabric in the piece not being blanketing or canvas provided for under item 75(1), containing more than 50 per cent by weight of rayon-"

The sub-heading to paragraph (a) of this item shall read:

"(a) Woven, containing more than 50 per cent to 70 per cent by weight of rayon and 30 per cent to 50 per cent by weight of wool or of hair or of wool and hair mixed, and of which over 50 per cent of the fibres by weight have been carded or prepared, combed and spun on worsted machinery-"