

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 722 final

Brussels, 15 November 1982

REPORT FROM THE COMMISSION TO THE COUNCIL

on the negotiations with South Africa under Article XXVIII of the GATT concerning the modification or withdrawal of tariff concessions from Schedule XVIII

RECOMMENDATION FOR A COUNCIL DECISION

concerning the conclusion of the Agreement between the European Economic Community and the Republic of South Africa negotiated under Article XXVIII of GATT

(submitted to the Council by the Commission)

COM 722

**CONCLUSION OF AN AGREEMENT
BASED ON THE GATT ARTICLE XXVIII
NEGOTIATIONS WITH SOUTH AFRICA**

(Commission Communication to the Council)

The Commission herewith submits to the Council:

- (i) a report on the outcome of the negotiations with South Africa under Article XXVIII of the GATT concerning the modification or withdrawal of tariff concessions in Schedule XVIII (Annex I);
- (ii) a draft agreement between South Africa and the Community (Annex II);
- (iii) a draft decision concluding the agreement (Annex III).

On 8 October the Article 113 Committee approved the outcome of the negotiations with South Africa (Council minutes No 9832/81 of 9 October 1981).

The Commission recommends that the Council approve the agreement with South Africa initialled on 13 October 1981.

REPORT FROM THE COMMISSION TO THE COUNCIL

on the negotiations with South Africa
under Article XXVIII of the GATT concerning
the modification or withdrawal of tariff
concessions from Schedule XVIII

1. Some time ago South Africa sent a number of notices to GATT (Secret docs Nos 200, 222, 233, 234, 235, 236, 239, 240, 241, 248, 252 and 253) bringing to the attention of the Contracting Parties its intention to modify or withdraw certain tariff concessions from Schedule XVIII.

2. The Community had negotiating rights in respect of all the changes thus notified, whether as initial negotiator, principal supplier or substantial supplier, and accordingly asked for negotiations with the aim of obtaining adequate compensation for the damage to its interests.

3. South Africa's initial offers of compensation were quite inadequate both in scope - with tariff cuts on existing or new concessions too small and new offers of bindings unattractive - and also in the volume of trade affected, where the Community's export volume as a supplier with a substantial interest was not fully taken into account, or else new offers were rather mean in volume terms. One major difficulty was the need to come up with an offer which would to some extent take account of the damage to each of the various Member States affected.

4. In the course of the lengthy negotiations, which were also delayed by the Tokyo Round multilateral trade negotiations going on at the same time, South Africa gradually improved its offer until the Community judged it acceptable.

5. The Article 113 Committee was regularly consulted and informed of progress in the talks, and approved the final agreement on 8 October last year.

6. The agreement was initialled on 13 October 1981.

EXPLANATORY MEMORANDUM

GATT Article XXVIII negotiations with South Africa.

The negotiations between the Community and South Africa under Article XXVIII of the GATT concerning the modification or withdrawal of concessions listed in Schedule XVIII (South Africa) were concluded on 13 October 1981.

The Council should therefore approve the resulting agreement (at annex in the original English version).

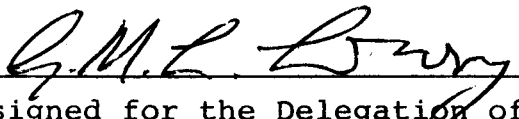
ANNEXE II

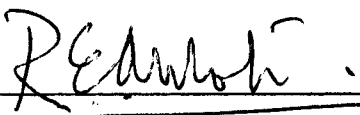
13 October 1981

To the Director-General
GATT
GENEVA

NEGOTIATIONS RELATING TO SCHEDULE XVIII

The Delegations of South Africa and the European Communities have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in Schedule XVIII as set out in the report attached.


signed for the Delegation of
South Africa


signed for the Delegation of
the European Communities

Results of Negotiations under Article XXVIII for
the Modification or Withdrawal of Concessions
in the Schedule of South Africa Initially
Negotiated with the European Communities

CHANGES IN SCHEDULE XVIII - SOUTH AFRICA

A. Concessions to be withdrawn

Tariff item number	Description of products	Rates of duty bound in existing schedule
ex 18.06	Chocolate and other food preparations containing cocoa: Chocolate and sugar confec- tionery containing cocoa (excluding ice cream and ice cream mixes)	30% or 330c per 100 lb.
ex 19.02	Preparations of flour, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 per cent by weight of cocoa: Specially prepared for infants (Item 412.06)	Free
ex 20.02	Vegetables prepared or preser- ved otherwise than by vinegar or acetic acid: Specially prepared for infants (Item 412.06)	Free
ex 20.05	Jams, fruit jellies, marma- lades, fruit purée and fruit pastes, being cooked prepara- tions, whether or not contain- ing added sugar: Specially prepared for infants (Item 412.06)	Free
ex 28.10	Phosphorus pentoxide; phos- phoric acids (meta-, ortho- and pyro-): Phosphoric acids (meta-, ortho- and pyro-)	15%
ex 28.13	Other inorganic acids and oxygen compounds of non-metals (excluding water): Hydrofluoric acid	15%

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Tariff item number	Description of products	Rates of duty bound in existing schedule
ex 28.30	Chlorides and oxychlorides: Anhydrous ferric chloride (perchloride of iron) in containers of not less than 10 lb. each	Free
ex 28.40	Phosphites, hypophosphites and phosphates: Monoammonium phosphate	Free
ex 29.31	Organo-sulphur compounds: Organo-sulphur compound acids	15%
ex 31.02	Mineral or chemical fertilizers, nitrogenous: Not packed for retail sale (excluding sodium nitrate, ammonium nitrate and calcium cyanamide)	Free
ex 31.03	Mineral or chemical fertilizers, phosphatic: Not packed for retail sale	Free
ex 33.01	Essential oils (terpeneless or not); concretes and absolutes; resinoids: Essential oils: Lemon and orange	Free
ex 38.11	Disinfectants, insecticides, fungicides, weed-killers, anti-sprouting products, rat poisons and similar products, put up in forms or packings for sale by retail or as preparations or as articles (for example, sulphur-treated bands, wicks, candles, fly papers): Insecticides (excluding agricultural insecticides) with active ingredients other than trichlorodimethyl (chlorophenyl)ethane (D.D.T.)	15%
ex 39.02	Polymerisation and copolymerisation products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloro-acetate and other	

Tariff item number	Description of products	Rates of duty bound in existing schedule
	polyvinyl derivatives, poly- acrylic and polymethacrylic derivatives, coumarone-indene resins):	
	Resins (other than polyvinyl chloride) in the forms described in Notes 3(a) and (b) to this Chapter, in containers of not less than 10 lb. each	20%
ex 40.01	Natural rubber latex, whether or not with added synthetic rubber latex; pre-vulcanised natural rubber latex; natural rubber, balata, gutta-percha and similar natural gums:	
	Unmanufactured natural rubber latex, natural rubber and gutta-percha (excluding crepe rubber soling sheet)	5c per lb.
ex 44.03	Wood in the rough, whether or not stripped of its bark or merely roughed down:	
	Other than saw logs and veneer logs, of non-coniferous species	2%
ex 57.04	Other vegetable textile fibres, raw or processed but not spun; waste of such fibres (including pulled or garnetted rags or ropes):	
	Unprocessed sisal and other fibres, including waste, of the agave family	Free
ex 60.05	Outer garments and other arti- cles, knitted or crocheted, not elastic nor rubberised:	
	Shawls, knitted or crocheted	15%
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like:	
	Lace shawls; silk shawls; cashmere shawls	15%
	Shawls (excluding lace shawls, silk shawls and cashmere shawls):	
	Of cotton or of more than 60 per cent cotton with wool only, of a weight:	

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Tariff item number	Description of products	Rates of duty bound in existing schedule
	Exceeding 12 oz. each	25% or 6½c per lb.
	Not exceeding 12 oz. each	15%
	Of 40 per cent or more wool, of a weight:	
	Exceeding 12 oz. each	25% or 9c per lb.
	Not exceeding 12 oz. each	15%
	Of fibres (excluding shawls of cotton or of more than 60 per cent cotton with wool only, or of 40 per cent or more wool), of a weight:	
	Exceeding 12 oz. each	25% or 11½c per lb.
	Not exceeding 12 oz. each	15%
ex 73.14	Iron or steel wire, whether or not coated, but not insulated electric wire:	
	Plated, coated or clad with zinc	8%
ex 73.16	Railway and tramway track con- struction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material special- ised for joining or fixing rails:	
	Switch blades, crossings (or frogs) and point rods, suitable for use with rails:	
	Not exceeding 30 lb. per running yard	5%
	Exceeding 30 lb. per running yard	3%
	Specialised material (excluding fish-plates) for joining or fixing rails	3%
ex 73.18	Tubes and pipes and blanks therefor, of iron (excluding cast iron) or steel (excluding	

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Tariff item number	Description of products	Rates of duty bound in existing schedule
	high-pressure hydro-electric conduits):	
	Wrought iron or steel tubes and pipes, not riveted, of a kind commonly used as pipelines for water, gas, steam, drainage and sewerage (excluding down-pipes and gutter pipes, light-weight quick-coupling tubes and pipes of steel and stainless steel tubes and pipes)	15% plus 10c per 100 lb.
ex 73.25	Stranded wire, cables, cordage, ropes, plaited bands, slings and the like, of iron or steel wire, but excluding insulated electric cables:	
	Wire rope	5%
ex 73.30	Anchors and grapnels and parts thereof, of iron or steel:	
	Anchors for ships and boats	Free
ex 73.32	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of iron or steel; rivets, cotters, cotter-pins, washers and spring washers, of iron or steel:	
	Bolts and nuts	20% or 200c per 100 lb.
ex 73.40	Other articles of iron or steel:	
	Split links, shackles and thimbles, commonly used with wire rope	Free
ex 74.10	Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables:	
	Cables, cordage and ropes	5%
ex 74.11	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands), of copper wire:	
	Gauze, sieving and screening, woven, for use in connection	Free

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Tariff item number	Description of products	Rates of duty bound in existing schedule
	with machinery; woven wire screening for mining purposes; and woven gauze for dynamo brushes	
	Woven wire gauze (excluding gauze for use in connection with machinery and gauze for dynamo brushes)	15%
ex 74.15	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of copper; rivets, cotters, cotter-pins, washers and spring washers, of copper:	
	Bolts and nuts	20% or 200c per 100 lb.
ex 76.12	Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables:	
	Cables, cordage and ropes	5%
ex 78.03	Wrought plates, sheets and strip, of lead:	
	Sheet, plain	20c per 100 lb.
ex 82.04	Hand tools (including mounted glaziers' diamonds) not falling within any other heading of this Chapter; blow lamps, anvils; vices and clamps, excluding accessories for, and parts of, machine tools; portable forges; grinding wheels mounted on frames; works (hand or pedal operated):	
	Bricklayers', pointing, gauging, plastering and finishing trowels	3%
ex 82.05	Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screw driving), including dies for wire drawing, extrusion dies for metal, and	

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Tariff item number	Description of products	Rates of duty bound in existing schedule
	rock drilling bits: Tools identifiable for use solely or principally in manufacturing industry (excluding tools with a working surface of diamond or agglomerated diamond powder or dust; tools ordinarily used by mechanics or artisans; and tungsten carbide tipped cutting tools for use with industrial machinery)	3%
ex 82.06	Knives and cutting blades, for machines or for mechanical appliances: Identifiable for use solely or principally in manufacturing industry (excluding knives and cutting blades for mechanical appliances ordinarily used by mechanics or artisans)	3%
ex 83.13	Stoppers, crown corks, bottle caps, capsules, bung covers, seals and plombs, case corner protectors and other packing accessories, of base metal: Capsules, other than of lead, of a kind commonly used as tops for sealing glass bottles	5%
ex 84.18	Centrifuges; filtering and purifying machinery and apparatus (excluding filter funnels, milk strainers and the like), for liquids or gases: Water filtering and purifying machinery and apparatus	Free
ex 84.21	Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers (charged or not); spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines: Sprinklers and sprayers, suitable for use with insecticides, fungicides or weedkillers	Free
ex 84.30	Machinery, not falling within any other heading of this	

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Tariff item number	Description of products	Rates of duty bound in existing schedule
	Chapter, of a kind used in the following food or drink industries: bakery, confectionery, chocolate manufacture, macaroni, ravioli or similar cereal food manufacture, the preparation of meat, fish, fruit or vegetables (including mincing or slicing machines), sugar manufacture or brewing:	
	Sugar mill roller shells (unfinished)	3%
ex 84.56	Machinery for sorting, screening, separating, washing, crushing, grinding or mixing earth, stone, ores or other mineral substances, in solid (including powder and paste) form; machinery for agglomerating, moulding or shaping solid mineral fuels, ceramic paste, unhardened cements, plastering materials or other mineral products in powder or paste form; machines for forming foundry moulds of sand:	
	Concrete mixers	3%
	Liners of manganese or chrome steel, for rod or ball mills	Free
	Portable or mobile, identifiable for use solely or principally in manufacturing industry	3%
ex 84.59	Machines and mechanical appliances, having individual functions, not falling within any other heading of this Chapter:	
	Portable or mobile presses, identifiable for use solely or principally in manufacturing industry	3%
ex 85.11	Industrial and laboratory electric furnaces, ovens and induction and dielectric heating equipment, electric welding, brazing and soldering machines and apparatus and similar electric machines and apparatus for cutting:	

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Tariff item number	Description of products	Rates of duty bound in existing schedule
	Portable or mobile electric welding, brazing, soldering or cutting machines and apparatus identifiable for use solely or principally in manufacturing industry	3%
ex 86.09	Parts of railway and tramway locomotives and rolling-stock: Rail locomotive parts (excluding wheels and axles): For other locomotives	15%
92.01	Pianos (including automatic pianos, whether or not with keyboards); harpsichords and other keyboard stringed instruments; harps (excluding aeolian harps)	10%
92.03	Pipe and reed organs, including harmoniums and the like	10%
ex 92.10	Parts and accessories of musical instruments (excluding strings), including perforated music rolls and mechanisms for musical boxes; metronomes, tuning forks and pitch pipes of all kinds: Parts of pipe organs (excluding organ pipes of metal)	10%
ex 92.13	Other parts and accessories of apparatus falling within heading No. 92.11: Cabinets for gramophones	10%
ex 93.04	Other firearms, including Very light pistols, pistols and revolvers for firing blank ammunition only, line-throwing guns and the like: Single barrel rifles of a calibre exceeding .22 in.	15% plus 200c each
ex 93.06	Parts of arms, including roughly sawn gun stock blocks and gun barrel blanks, but not including parts of side-arms: Barrels for single barrel rifles of a calibre exceeding .22 in.	15% plus 200c per barrel

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Tariff item number	Description of products	Rates of duty bound in existing schedule
ex 97.07	Fish-hooks, line fishing rods and tackle; fish landing nets and butterfly nets; decoy "birds"; lark mirrors and similar hunting or shooting requisites: Line fishing rods and tackle (excluding articles of a kind commonly used in the fishing industry)	10%

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B. Bound rates to be increased

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
17.04	Sugar confectionery, not containing cocoa	30% or 330c per 100 lb.	30% or 25c per kg
ex 20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit:		
	Peaches, pears, apricots and grapes (excluding pulp)	30% or 165c per 100 lb.	30% or 11c per kg
	Other (excluding ginger preserved in syrup, in containers containing not less than 100 lb. net weight each, nuts, bananas, pineapples, oranges and guavas)	25% or 165c per 100 lb.	25% or 9c per kg
ex 29.42	Vegetable alkaloids, natural or reproduced by synthesis, and their salts, ethers, esters and other derivatives:		
	Caffeine	10%	15%
ex 39.07	Articles of materials of the kinds described in headings Nos. 39.01 to 39.06:		
	Bobbins, spools, cops, tubes and similar supports, for use in textile machinery; textile spinning cans	3%	5%
ex 68.06	Natural or artificial abra- sive powder or grain, on a base of woven fabric, of paper, of paperboard or of other materials, whether or not cut to shape or sewn or otherwise made up:		
	Of emery and corundum	15%	25%
	The concession:		
ex 70.13	Glassware (excluding arti- cles falling in heading No. 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses:		

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: Tariff : item : number	: Description of products	: Rates of : duty : bound in : existing : schedule	: Rates of : duty to : be bound
	: Identifiable as machine-made: : (excluding ash trays) : : shall be replaced by:	: 15%	
: ex 70.13	: Glassware (excluding articles: : falling in heading No. 70.19): : of a kind commonly used for : table, kitchen, toilet or : office purposes, for indoor : decoration, or for similar : uses:		
	: Identifiable as machine-made:		
	: Stemmed glass drinking : vessels		: 20%

C. Description of the products to be changed

Tariff item number	Description of products	Rates of: duty : Rates of bound in: duty to existing: be bound schedule:
	The concession:	
ex 84.20	Weighing machinery (excluding balances of a sensitivity of 5 centigrammes or better), including weight-operated counting and checking machines; weighing machine weights of all kinds:	
	Weighing machines (excluding railway weigh-bridges, milk recording scales, weighing machines commonly used as laboratory or scientific instruments or for agricultural or other industrial purposes and weighing and measuring machines commonly used for road construction and maintenance)	5%
	shall be replaced by	
ex 84.20	Massmeters (excluding balances of a sensitivity of 50 milligrams or better), including masspiece-operated counting and checking machines; masspieces of all kinds:	
	Massmeters, other than milk yield recording balances (for milk herds), platform massmeters with a mass-measuring capacity of not less than 250 kg, massmeters and other measuring machines commonly used for road construction and maintenance, mass-measuring bridges and automatic hopper massmeters	5%

D. Initial negotiating rights to be extended

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
ex 15.10	Fatty acids; acid oils from refining; fatty alcohols: Oleine (crude oleic acid)	Free	Free
ex 17.02	Other sugars in solid form; sugar syrups, not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel: Lactose	125c per 100 lb.	275c per 100 kg
25.04	Natural graphite	Free	Free
25.12	Siliceous fossil meals and similar siliceous earths (for example, kieselguhr, tripolite or diatomite), whether or not calcined, of an apparent specific gravity of 1 or less	Free	Free
ex 28.13	Other inorganic acids and oxygen compounds of non-metals (excluding water): Silicon dioxide	Free	Free
28.36	Dithionites (including those stabilised with organic substances); sulphonylates	10%	10%
ex 29.44	Antibiotics: Penicillin	Free	Free
31.04	Mineral or chemical fertilizers, potassic	Free	Free
ex 33.01	Essential oils (terpeneless or not), concretes and absolutes; resinoids; concentrates of essential oils in fats, in fixed oils, or in waxes or the like, obtained by cold absorption or by maceration; terpenic by-products of the deterpenation of essential oils: Essential oils other than of lemon or orange	Free	Free
ex 37.02	Film in rolls, sensitised, unexposed, perforated or not:		

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Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
	Cinematograph film	10%	10%
ex 41.05	Other kinds of leather (excluding leather falling within heading No. 41.06 or 41.08):		
	Reptile, fish, frog, toad, bird, seal, kangaroo, antelope, deer, pig and hog leathers	Free	Free
ex 49.11	Other printed matter, including printed pictures and photographs:		
	Printed advertising matter (excluding catalogues, price lists, and trade publications of firms or persons having no established place of business in the Republic and no representative holding stocks in the Republic; publications and other advertising matter relating to fairs, exhibitions and tourism in foreign countries)	30% or 5c per lb.	30% or 11c per kg
ex 53.02	Animal hair, fine or coarse, (excluding sheep's or lambs' wool), not carded or combed:		
	Fine animal hair of a kind commonly used as textile fibre, not further processed than washed, bleached or dyed	Free	Free
ex 70.17	Laboratory, hygienic and pharmaceutical glassware, whether or not graduated or calibrated; glass ampoules:		
	Laboratory glassware	Free	Free
ex 73.40	Other articles of iron or steel:		
	Venetian blinds	10%	10%
ex 84.06	Internal combustion piston engines:		
	Outboard engines	5%	5%
	Propulsion engines identifiable for fishing or whaling boats or for mercantile marine purposes (excluding spare parts) (Item 317.08)	Free	Free
ex 84.18	Centrifuges; filtering and purifying machinery and apparatus (excluding filter funnels, milk strainers and the like), for liquids or gases:		
	Cream separators	Free	Free

: Tariff : item : number	: Description of products	: Rates of : duty : bound in : existing : schedule	: Rates of : duty to : be bound
: ex 84.21	: Mechanical appliances : (whether or not hand operated): : for projecting, dispersing or: : spraying liquids or powders; : fire extinguishers (charged : or not); spray guns and simi= : lar appliances; steam or sand: : blasting machines and similar: : jet projecting machines:		
	: Fire extinguishers	: Free	: Free
: 84.26	: Dairy machinery (including : milking machines)	: Free	: Free
: ex 84.29	: Machinery of a kind used in : the bread grain milling : industry, and other machinery : (excluding farm type machi= : nery) for the working of : cereals or dried leguminous : vegetables: : Machinery identifiable as : fixed plant for factory : installation	: Free	: Free
: ex 84.45	: Machine-tools for working : metal or metal carbides : (excluding machines falling : within heading No. 84.49 or : 84.50): : Sharpening, trimming, true= : ing, grinding, polishing, : lapping, dressing or sur= : facing machines and similar : machines, operated by means : of grinding wheels or other : abrasive products of Chapter : 68, fitted with a micro= : metric adjusting system (to : at least 1/100th mm) : Jig boring machines : Reaming machines, not auto= : matic and not numerically : controlled : Filing machines, not auto= : matic and not numerically : controlled : Forging machines and rivet= : ing machines	: Free : Free : Free : Free	: Free : Free : Free : Free

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
	Screw cutting machines	Free	Free
	Machines for making wire gauze or netting	Free	Free
ex 84.54	Other office machines (for example, hectograph or stencil duplicating machines, addressing machines, coin-sorting machines, coin-counting and wrapping machines, pencil-sharpening machines, perforating and stapling machines:		
	Duplicating machines	Free	Free
ex 84.65	Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features and not falling within any other heading in this Chapter:		
	Propellers and stern tubes imported with and for use with propulsion engines for fishing or whaling boats or for mercantile marine purposes (Item 317.08)	Free	Free
ex 90.18	Mechano-therapy appliances; massage apparatus; psychological aptitude-testing apparatus; artificial respiration, ozone therapy, oxygen therapy, aerosol therapy or similar apparatus; breathing appliances (including gas masks and similar respirators):		
	Mechano-therapy appliances; massage apparatus; psychological aptitude-testing apparatus; artificial respiration, ozone therapy, oxygen therapy, aerosol therapy or similar apparatus	Free	Free

E. Reduction of rates bound in the existing schedules

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
35.04	Peptones and other protein substances (excluding enzymes of heading No. 35.07) and their derivatives; hide powder, whether or not chromed	10%	6%
ex 84.55	Parts and accessories (excluding covers, carrying cases and the like) suitable for use solely or principally with machines of a kind falling within heading No. 84.51, 84.52, 84.53 or 84.54:		
	Parts of calculating machines and cash registers	5%	2½%
ex 85.07	Shavers and hair clippers, with self-contained electric motor:		
	Electric safety razors	10%	7½%
ex 87.02	Motor vehicles for the transport of persons, goods or materials (including sports motor vehicles) excluding those of heading No. 87.09:		
	Parts and materials (excluding those specified in the Notes below) for the manufacture and equipment in the Republic of South Africa of motor cars including station wagons and similar dual purpose vehicles, but excluding such motor cars containing not more than 52 per cent of their mass of parts and materials manufactured or produced in the Republic of South Africa (Item 317.03)	95c per 100 lb.; 230c per 100 lb.	Free
	<u>Notes:</u>		
	1. The customs duty on the parts and materials shall be rebated in full on the conditions prescribed and for the purpose specified when imported from contracting parties.		

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Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
	<p>2. The Republic of South Africa undertakes to construct the duty concession as applicable to parts and materials classified under item 87.02 whether they remain classified under this item or become classifiable under any other item of the customs tariff.</p> <p>3. The following parts and materials shall be excluded from this item:</p> <ul style="list-style-type: none">Batteries;Felt, whether or not coated or impregnated;Filters: air, fuel and oil;Rubber pneumatic tyre covers and tubes and other tyres;Seat frames of tubular metal;Textile fabrics (including bonded fibre fabric) coated or impregnated with cellulose or other artificial plastic materials and similar fabrics consisting of coatings on a paper base;Upholstery pads of rubberised fibre;Wadding, whether or not sized or glazed. <p>4. The Republic of South Africa retains the right to exclude any part or material from this concession provided the total value of such parts and materials excluded shall not exceed 50 per cent of the total value of imports of a kind and for the purpose described in this item, and provided further that the Board of Trade and Industries has established that South African</p>		

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: Tariff : item : number	: Description of products	: Rates of : duty : bound in : existing : schedule	: Rates of : duty to : be bound
	industry is technically equipped to produce at least 30 per cent of the internal demand for such part or material.		
	5. The parts and materials which the Republic of South Africa from time to time excluded from the concession up till the end of 1970, in the aggregate, represented 13,717 per cent of the total value of parts and materials imported, and the percentage referred to in Note 4 is reduced to that extent.		
	6. The parts and materials which the Republic of South Africa from time to time excludes from the concession in terms of Note 4 shall in each case be calculated as a percentage of the total value of the parts and materials imported in accordance with the undermentioned formula:		
	$\frac{A \times B \times C \times 100}{D}$		
	A - Average annual number of vehicles assembled 1959/1961		
	B - Number of units of parts/materials per vehicle		
	C - F.o.b. cost per unit of part/material		
	D - Average annual total f.o.b. cost of parts/materials imported during the calendar years 1959/1961.		

F. New concessions on items not in existing schedules

: Tariff : item : number	: Description of products	: Rates of : duty at : present : in force	: Rates of : duty to : be bound
: ex 29.04	: Acyclic alcohols and their : halogenated, sulphonated, : nitrated or nitrosated : derivatives: : Ethylene glycol (ethanediol)	: Free	: 7½%
: ex 37.08	: Chemical products and flash= : light materials, of a kind : and in a form suitable for : use in photography: : Other than packed for retail : sale	: 2½%	: 10%
: ex 70.14	: Illuminating glassware, : signalling glassware and : optical elements of glass, : not optically worked nor of : optical glass: : Chandeliers	: 5%	: 5%

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NOTE

The South African Government has taken note of the importance the European Communities attach to appropriate and prompt action by the Government of South Africa to bring its current import control measures into full conformity with its GATT obligations.

In this regard the South African Government wishes to confirm its policy to liberalise its quantitative restrictions progressively as it succeeds with its negotiations under Article XXVIII, which are aimed at securing the necessary freedom to grant a reasonable measure of tariff protection on a selective basis to deserving South African industries.

As the European Communities are aware, South Africa's policy of selective tariff protection is based solely on the recommendations of the South African Board of Trade and Industries. The granting of protection, therefore, only takes place after the Board of Trade and Industries has examined the industry concerned and recommended the level of tariff protection it considers sufficient and necessary in the circumstances pertaining to that particular industry. It will be appreciated that the handling of a large number of applications of this nature is a time-consuming exercise.

Bearing in mind therefore, the time element that might be involved in finalising the applications received by the Board of Trade and Industries, the South African Government undertakes to guarantee the free issuance of import licences -

- a. with respect to new concessions, upon the application of tariff changes resulting from the conclusion of the Article XXVIII:5 negotiations which are the subject of the attached report; and
- b. with respect to concessions which have been modified, as well as the concessions which are to be withdrawn from Schedule XVIII, upon the application of a tariff change in respect of each individual item.

It is understood that this is an interim arrangement until the necessary domestic requirements to add the items to the free list can be met. It is the intention of South Africa to expedite the approval of these requirements.

This undertaking is given without prejudice to South Africa's future rights under the General Agreement. It is understood that the European Communities reserve their rights under the General Agreement with respect to quantitative restrictions not specifically covered by this undertaking.

13 October 1981

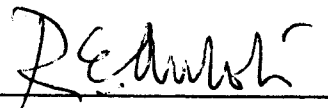
To the Director-General
GATT
GENEVA

NEGOTIATIONS RELATING TO SCHEDULE XVIII

The Delegations of South Africa and the European Communities have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in Schedule XVIII as set out in the report attached.



signed for the Delegation of
South Africa



signed for the Delegation of
the European Communities

Results of Negotiations under Article XXVIII for
the Modification or Withdrawal of Concessions
in the Schedule of South Africa Initially
Negotiated with the European Communities

CHANGES IN SCHEDULE XVIII - SOUTH AFRICA

A. Concessions to be withdrawn

Part I - Most-Favoured-Nation Tariff

<u>Pariff</u>	<u>Description of products</u>	<u>Rates of duty</u>
<u>item</u>		<u>bound in exist-</u>
<u>number</u>		<u>ing schedule</u>
ex 31.05	Other fertilizers; goods of this Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kilograms:	
	Other fertilizers not packed for retail sale	Free
ex 37.01	Photographic plates and film in the flat, sensitised, unexposed, of any material (excluding paper, paperboard and cloth):	
	Radiographic plates and film	Free
	Orthochromatic plates and film in the flat and lithographic plates of aluminium	10%
ex 37.02	Film in rolls, sensitised, unexposed, perforated or not:	
	Orthochromatic film of a length not exceeding 500 m and a width not exceeding 1 050 mm	10%
ex 39.01	Condensation, polycondensation and polyaddition products, whether or not modified or polymerised, and whether or not linear (for example, phenoplasts, aminoplasts, alkyds, polyallyl esters and other unsaturated polyesters, silicones):	
	Epoxide resins, whether or not esterified	20%
ex 39.03	Regenerated cellulose; cellulose nitrate, cellulose acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticised or not (for example,	

Tariff item number	Description of products	Rates of duty bound in exist- ing schedule
	collodions, celluloid); vulcanised fibre	
	Transparent regenerated cellulose film (pressure sensitive)	Free
ex 40.09	Piping and tubing of unhardened vulcanised rubber:	
	Unsupported, with an inside diameter of 10 mm or more and with a wall thickness of between 0,5 and 2 mm	20% or 1 655c per 100 kg
ex 56.07	Woven fabrics of man-made fibres (discontinuous or waste):	
	Fabrics stiffened with size or the like, commonly used for interlinings, and fabrics commonly known as hair-cloth, containing more than 50 per cent cellulosic fibres	5% plus 7½c per sq. yd. or 10½c per sq. yd. less 5%
ex 70.06	Cast, rolled, drawn or blown glass (including flashed or wired glass) in rectangles, surface ground or polished, but not further worked:	
	Float glass, exceeding 10 sq. ft. per sheet	333c per 100 sq. ft.
	Float glass, not exceeding 10 sq. ft. per sheet	Free
	Polished plate glass, exceeding 10 sq. ft. per sheet	416 ² / ₃ c per 100 sq. ft.
ex 73.14	Iron or steel wire, whether or not coated, but not insulated electric wire:	
	Iron or steel wire, plated, coated or clad with copper or copper alloys	8%
ex 83.13	Stoppers, crown corks, bottle caps, capsules, bung covers, seals and plombs, case corner protectors and other packing accessories, of base metal:	
	Bungs	Free
ex 84.34	Machinery, apparatus and accessories for type-founding or type-setting; machinery (excluding machine-tools of heading No. 84.45, 84.46 or 84.47)	

: Tariff : : item : : number :	Description of products	: Rates of duty : : bound in exis- : : ting schedule :
	for preparing or working printing blocks, plates or cylinders; printing type; impressed flongs and matrices, printing blocks, plates and cylinders; blocks, plates, cylinders and lithographic stones, prepared for printing purposes (for example, planed, grained or polished):	
	Lithographic plates of aluminium, unsensitised (excluding offset duplicating masters):	3%
	Offset duplicating masters of aluminium, unsensitised	Free
ex 90.17	Medical, dental, surgical and veterinary instruments and appliances (including electro-medical apparatus and ophthalmic instruments):	
	Indwelling cannulae of artificial plastic material fitted with internal trocar	Free
	needles of stainless steel for intravenous transfusion or infusion (whether or not fitted with valves); blood (including plasma) transfusion equipment, wholly or chiefly of plastic material; tubing, with fittings, of plastic material, identifiable for use with kidney machines; and bags of plastic material for the packing of blood, plasma and intravenous solutions	

Part II - Preferential Tariff

: Tariff : : item : : number :	Description of products	: Rates of duty : : bound in exis- : : ting schedule :
ex 56.07	Woven fabrics of man-made fibres (discontinuous or waste):	
	Fabrics stiffened with size or the like, commonly used for interlinings, and fabrics commonly known as haircloth, containing more than 50 per cent cellulosic fibres	5% plus 7½c per sq. yd.
ex 73.14	Iron or steel wire, whether or not coated, but not insulated electric wire:	
	Iron or steel wire, plated, coated or clad with copper or copper alloys	5%
ex 84.34	Machinery, apparatus and accessories for type-founding or type-setting; machinery (excluding machine-tools of heading No. 84.45, 84.46 or 84.47) for preparing or working printing blocks, plates or cylinders; printing type; impressed flongs and matrices, printing blocks, plates and cylinders; blocks, plates, cylinders and lithographic stones, prepared for printing purposes (for example, planed, grained or polished):	

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Tariff item number	Description of products	Rates of duty bound in existing schedule
	Lithographic plates of aluminium, unsensitised (excluding offset duplicating masters)	Free

B. Initial negotiating rights to be extended

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
ex 29.35	Heterocyclic compounds; nucleic acids: Fufuraldehyde, furfuryl alcohol, benzofuran (coumarone)	Free	Free

C. Reduction of rates bound in the existing schedules

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
ex 28.42	Carbonates and percarbonates; commercial ammonium carbonate containing ammonium carbamate: Sodium bicarbonate in packings of a gross mass of not less than 5 kg	10%	8%
ex 44.05	Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 mm: Of non-coniferous species	2%	Free
ex 48.11	Wallpaper and linocrusta; window transparencies of paper: Wallpaper	10%	5%
ex 70.14	Illuminating glassware, signalling glassware and optical elements of glass, not optically worked nor of optical glass: Chandeliers and other gas or electric lighting fittings	5%	2½%
ex 73.32	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of iron or steel; rivets, cotters, cotter-pins, washers and spring washers, of iron or steel:		

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
	Cotter-pins and cotters	3%	Free
ex 84.59	Machines and mechanical appliances having individual functions, not falling within any other heading of this Chapter:		
	Workshop machinery ordinarily used in a motor garage for manufacturing, testing or repair work	3%	Free
ex 84.62	Ball, roller or needle roller bearings:		
	With an outside diameter of less than 31 mm or exceeding 130 mm (excluding journal roller bearings of the rotating end-cover type, with an outside diameter of not less than 170 mm, but not exceeding 210 mm, commonly used on the axles of railway rolling stock and locomotives)	3%	Free
ex 87.09	Motor cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds:		
	Incorporating an internal combustion piston engine with a capacity of 50 cm ³ or more	20%	15%
ex 87.12	Parts and accessories of articles falling within heading No. 87.09, 87.10 or 87.11:		
	For use solely or principally with motor cycles, auto-cycles and side-cars	20%	15%

D. New concessions on items not in existing schedules

Tariff item number	Description of products	Rates of duty at present in force	Rates of duty to be bound
ex 25.19	Natural magnesium carbonate (magnesite); fused magnesia; dead-burned (sintered) magnesia, whether or not containing small quantities of other oxides added before sintering; other magnesium oxide, whether or not chemically pure:	15%	10%
	Natural magnesium carbonate (magnesite)		
ex 39.01	Condensation, polycondensation and polyaddition products, whether or not modified or polymerised, and whether or not linear (for example, phenoplasts, aminoplasts, alkyds, polyallyl esters and other unsaturated polyesters, silicones):		
	Polyethylene terephthalates: Plates, sheets, film, foil and strip	Free	Free
70.03	Glass in balls, rods and tubes, unworked (excluding optical glass)	Free	Free
70.12	Glass inners for vacuum flasks or for other vacuum vessels	5%	2½%
ex 73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled:		
	Plated, coated or clad with chromium, nickel or copper, of a thickness not exceeding 0,386 mm	Free	Free
ex 73.15	Alloy steel and high carbon steel in the forms mentioned in headings Nos. 73.06 to 73.14:		
	Hoop and strip, of alloy steel, of a thickness not exceeding 0,386 mm, plated, coated or clad with substances other than lead, tin, zinc, chromium, nickel or copper	Free	Free

Tariff item number	Description of products	Rates of duty at present in force	Rates of duty to be bound
	Wire of stainless steel	3%	3%
ex 73.40	Other articles of iron or steel:		
	Gabions of wire netting (collapsible or otherwise)	5%	5%
ex 76.03	Wrought plates, sheets and strip, of aluminium:		
	Embossed non-slip flooring (tread plate)	Free	Free
ex 81.04	Other base metals, unwrought or wrought, and articles thereof; cermets, unwrought or wrought, and articles thereof:		
	Cobalt	Free	Free
ex 84.17	Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature such as heating, cooking, roasting, distilling, rectifying, sterilising, pasteur- ising, steaming, drying, evapora- ting, vapourising, condensing or cooling, not being machinery or plant of a kind used for domestic purposes; instantaneous or storage water heaters, non- electrical:		
	Laboratory equipment	Free	Free
ex 84.45	Machine-tools for working metal or metal carbides (excluding machines falling within heading No. 84.49 or 84.50):		
	Other machine-tools operating by electro-erosion or other electric or electronic processes and ultrasonic machine-tools	Free	Free
ex 84.59	Machines and mechanical appli- ances having individual func- tions, not falling within any other heading of this Chapter:		
	Electric vibrators for use with machinery or appliances	Free	Free

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NOTE

The South African Government has taken note of the importance the European Communities attach to appropriate and prompt action by the Government of South Africa to bring its current import control measures into full conformity with its GATT obligations.

In this regard the South African Government wishes to confirm its policy to liberalise its quantitative restrictions progressively as it succeeds with its negotiations under Article XXVIII, which are aimed at securing the necessary freedom to grant a reasonable measure of tariff protection on a selective basis to deserving South African industries.

The South African Government accordingly undertakes to guarantee the free issuance of import licences with respect to the items incorporated in the attached results of its negotiations with the European Communities under Article XXVIII.

The undertaking is given without prejudice to South Africa's future rights under the General Agreement. It is understood that the European Communities reserve their rights under the General Agreement with respect to quantitative restrictions not specifically covered by this undertaking.

ANNEX IIIRECOMMENDATION FOR A COUNCIL DECISION

concerning the conclusion of the Agreement
between the European Economic Community and
the Republic of South Africa negotiated under
Article XXVIII of GATT

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas South Africa announced its intention under Article XXVIII of the
General Agreement on Tariffs and Trade (GATT) of unbinding certain
tariff concessions in Schedule XVIII,

Whereas the Community, as direct beneficiary or principal supplier,
exercised its right to enter into negotiations with South Africa under
the said Article XXVIII and reached an Agreement which has been found
satisfactory,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement negotiated with the Republic of South Africa under Article XXVIII of the
GATT on the modification or withdrawal of tariff concessions in
Schedule XVIII is hereby approved on behalf of the Community.

The text of the agreement is annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Done at Brussels,

For the Council

The President