



GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF CUSTOMS VALUATION
CUSTOM HOUSE KARACHI

The Collectors of Customs, Model Customs Collectorates, Appraisement (East / West) / Port Qasim / Preventive, Karachi / Lahore (Appraisement / Preventive) / Sambrial (Sialkot) / Faisalabad / Multan / Islamabad /Hyderabad/ Quetta / Peshawar/ Gawadar/ Gilgit-Baltistan.

Determination of Customs Values Of Electrolytic Tin Plate (ETP) and Tin Free Sheet (TFS) Under Section 25-A Of The Customs Act, 1969

(VALUATION RULING NO. 756/ 2015)

No. Misc/13/2006-VI-A (Part-IV)

Dated: September 01, 2015

In exercise of the powers conferred under Section 25-A of the Customs Act, 1969, Customs values of Electrolytic Tin Plate (ETP) and Tin Free Sheet (TFS) are determined as follows :-

2. **Background of the valuation issue:** The Customs Values of Electrolytic Tin Plate (ETP) and Tin Free Sheet (TFS) were determined under Section 25-A of the Customs Act, 1969 vide Valuation Ruling No. 467/2012 dated 25.07.2012. Lately certain importers have been contesting that the values of these items have declined in the international market and had requested to re-determine customs values. The same issue has been agitated before Honorable High Court of Sindh at Karachi in C.P No. D-3027 of 2015 dated 29.05.2015. The Honorable High Court while finally disposing of the petition has held, "

"since the Valuation Ruling is three year sold, therefore, we direct the release of goods and consignments upon deposit of differential amount with the nazir of this court in the shape of bank guarantee/ pay order. Director Valuation would resolve the issue within 30days".

With a view to reflect the current prices prevailing in the international market, an exercise to determine the Customs values of subject goods was under taken.

3. **Stakeholders' participation in determination of Customs values:** Meeting with stakeholders including importers, local manufacturers, petitioners and representative of trade bodies were held on 05.08.2015, 25.08.2015 and 01.09.2015 to discuss the current international price of the subject goods. The importers were of the view that the prices of the instant item in the international market have considerably decreased and the downward trend is continuing. On the other hand local manufacturers presented copies of certain import transactions where imports have been effected at much higher values as compared to the values claimed by some importers. Deliberations were held in the Directorate and the contentions of the parties were heard at length. The data of import of last 90 days was also scrutinized.

4. **Method adopted to determine Customs values:** Valuation methods given in Section 25 of the Customs Act, 1969 were applied sequentially to address the valuation issue at hand. Transaction Value Method under Sub-Section (1) of Section 25 of the Act 1969, was found inapplicable because required information under the law was not available. Identical and Similar Goods valuation methods provided in Sub-Sections (5) and (6) of Section 25 of the Customs Act, 1969 provided numerous evidences, in the clearances of past 90 days which

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reflected correct current transaction values of prime quality ETP and TSF. The available information was analyzed and evaluated. There were sufficient evidences available with the Department to determine the values of Electrolytic Tin Plate (ETP) and Tin Free Sheet (TFS) of prime quality on the basis of evidence available with the Department. On the other hand clearance data of secondary quality ETP and TSF indicated significant variations and could not be exclusively relied upon. Therefore, it was decided to determine the values of prime quality ETP and TSF on the basis of available evidences and allow a 15% discount from the said values on account of being secondary quality.

5. Customs values for Electrolytic Tin Plate (ETP) and Tin Free Sheet (TFS): Electrolytic Tin Plate (ETP) and Tin Free Sheet (TFS) *hereinafter specified* shall be assessed to duty/taxes at the following Customs Values :-

S. No	Description of goods	Specification of goods	PCT Code	Proposed PCT for WEOC	Origin	Customs Values (C&F) US\$/Kg
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Electrolytic Tin Plate (ETP)	Prime Quality	7210.1290	7210.1290.1000	All origins	0.900
		Secondary Quality	7210.1210	7210.1210.1000	All origins	0.765
2	Tin Free Sheet (TFS)	Prime Quality	7210.5090	7210.5090.1000	All origins	0.950
		Secondary Quality	7210.5010	7210.5010.1000	All origins	0.807

6. In cases where declared / transaction values are higher than the Customs values determined in this Ruling, the assessing officers shall apply those values in terms of Sub-Section (1) of Section 25 of the Customs Act, 1969. In case of consignments imported by air, the assessing officer shall take into account the differential between air freight and sea freight while applying the Customs values determined in this Ruling.

7. **Validity of this Valuation Ruling:** The values determined vide this Ruling shall be the applicable Customs value for assessment of subject imported goods until and unless it is rescinded or revised by the competent authority in terms of Sub-Sections (1) or (3) of Section 25-A or section 25-D of the Customs Act, 1969.

8. **Revision of the value determined vide this Valuation Ruling:** A revision petition may be filed against this Ruling, as provided under Section 25-D of the Customs Act, 1969, within 30 days from the date of issuance of this Ruling, before the Director General, Directorate General of Customs Valuation, 7th Floor, Custom House, Karachi.

9. The Collectors of Customs may kindly ensure that the values given in the Ruling for the given description of goods are applied by the concerned staff without fail. Any anomaly observed may kindly be brought to the notice of this Directorate General immediately for redressal.

10. This Ruling supersedes Valuation Ruling No. 467/2012 dated 25.07.2012.


(Manzoor Hussain Memon)
Director

Copy for information to: -

1. Member (Customs), F.B.R., Islamabad.
2. Director General, Customs Valuation, Custom House, Karachi.
3. Chief Collector of Customs, South (Appraisal), Custom House, Karachi.
4. Chief Collector of Customs, South (Enforcement), Custom House, Karachi.