



*South African Revenue Service*

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# STATUS OF THE LEGISLATION

- The **Customs Duty Act, 2014**, (Act No. 30 of 2014) was published in the Government Gazette No. 37821 of **10 July 2014**
- The **Customs Control Act, 2014**, (Act No. 31 of 2014) was published in the Government Gazette No. 37862 of **23 July 2014**
- The **Customs and Excise Amendment Act, 2014**, (Act No. 32 of 2014) was published in the Government Gazette No. 37863 of **23 July 2014**
- Acts **only take effect** on a date determined by the President by proclamation
- As result of the rule drafting process and comments received **amendments** are also being made to the Customs Control Act and it is foreseen that further amendments to the Customs Duty Act and Excise Act may be required
- These amendments **will be circulated** for comment and will be submitted through the normal Parliamentary process

# THE RULE MAKING PROCESS

- The **first batch** consisting of Chapters 1 and 3 to 10 was published for external comment at the end of June 2014 with a due date of 29 July 2014
- A workshop to discuss the comments received was held on **29 August 2014**
- The **second batch** consisting of Chapters 11 to 20 and 24 was published for external comment on 4 August 2014 with a due date of **26 September 2014**
- A workshop to discuss the comments is scheduled for **26 November 2014**
- The **third batch phase** consisting of Chapters 21, 23 and 25 to 31 was published for external comment on 9 October 2014 with a due date of **14 November 2014**
- We **aim** to publish the remaining Chapters of the Customs Control Act for external comment by the end of December 2014
- In the **fifth phase** we will publish the Customs Duty Act Rules
- We will continue to organise workshops to provide **feedback** to trade on the **main comments and concerns**

# MAJOR ISSUES RAISED RE THE RULES

- **First Batch**

- EDI versus e-filing
- Calculation of timeframes in the transit procedure – commencement/transit operation/completion of transit procedure
- Record keeping – offsite storage and electronic record keeping
- SARS accepted quite a number of comments from trade

- **Second Batch**

- Export timeframes – a new proposal
- Notifications – detail of information required and practical issues
- Diversion of goods cleared for warehousing

## WAY FORWARD

- SARS aims to implement at least 70 percent of the both Customs Control and Customs Duty Act in June/July 2015
- The 70 percent **will exclude** Chapters 22 (Postal), 38 (VDP) in the Control Act and Chapter 10 (Advance Rulings) in the Duty Act.
- It **may** further exclude Chapter 24 (expedited clearance and release) Chapter 37 (Dispute resolution) and other SARS “in house” functions such as Judicial matters, Debt collection, etc.
- SARS intends to implement the policy of **clearance prior to arrival** (as agreed during the Parliamentary process) of goods intended to move to inland terminals **in the first phase** of implementation

**THANK YOU**  
**Questions?**