INDEX

1. Status of legislation
2. The rule making process
3. Major issues re the Rules
4. Way forward
5. Questions
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 a 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?