

RLA FAQs FROM ROADSHOWS JULY/AUGUST 2019

1. Are degrouping depots (reporters) excluded from RLA registration?

No, degrouping depots are included in Release 1; the client type will be included for purposes of reporting applications (DA8).

2. How will the client know if submitted supporting documents are verified by SARS?

It will have a verified status on eFiling.

3. What is the prerequisite for Relationship Management (RMM) registration/declaration?

In order for the client to disclose a relationship via RMM, the client and the other party's client types must be registered and active on the RLA system.

4. Can the client be able to view his information if registered through BFE?

Yes, however the client will have to come into the Customs Branch to view his profile via the Client Dashboard. Alternatively, if the client registers for eFiling, the client can view his information via the eFiling platform

5. Can a Clearing agent register as an importer/ exporter?

Yes

6. Regarding supporting documents, must the uploaded copies be certified?

Yes

7. What rule does the clearing agent follow before he can accept/reject RMM requests?

An agreement must exist between clients, which must be provided if SARS requests it. The RMM system is merely a platform to disclose this relationship to SARS.

8. What is the purpose of RMM?

RMM enables clients registered on RLA to register relationships with other RLA-registered client types. The relationships disclosed via RMM may be used by Customs for processing of transactions.

9. Will the Importer be able to submit declarations before RMM is accepted?

Yes. The initiation of RMM will not adversely impact declaration submissions, as it is currently managed via the declaration processing system. It is imperative that nominations/relationships prescribed by law (DA185.D) be maintained.

10. Can the client view his personal tax affairs and also organisational customs affairs after their RLA application has been approved?

Yes, a user will be able to view organisational Customs registrations as well as the user's Personal Income Tax products as separate portfolios on eFiling, within the same eFiling login.

11. What happens with clients' old information after the new registration?

Clients' existing information, as currently contained on the Customs registration system, will not be migrated onto the RLA system, and current information on the system will be retained until the client type information is submitted on RLA. Information submitted via RLA will replace any old information.

12. When capturing physical address information, does the client need to capture different addresses?

They don't have to, but where applicable, the client is able to capture several addresses.

13. Which RLA role does the client need to select/ how does the client know the correct RLA role selection?

The user will be allowed to select only ONE of the following user roles:

RLA View Customs Product

RLA View Client Type

RLA Manage Customs Product (This role allows full submission rights)

RLA Manage Client Type

Please note the description of each role, as not all roles allow submission of applications on RLA:

RLA View role – only view access and no submission capabilities;

RLA Manage role allows submission capabilities

14. What happens if the client selects the wrong RLA role?

If the incorrect role is selected, the client may not be able to execute the function required. Incorrect allocation of roles must be addressed internally with the client's internal eFiling administrator. Roles can be changed by the internal eFiling administrator.

15. Is the RLA role allocated per client type?

No, it is allocated per user. Only one role can be allocated per user.

16. What happens if the client appoints another person to take up new responsibilities in the organisation/company?

In terms of role allocation for RLA on eFiling, the company's internal eFiling administrator must address such eventualities.

17. How does the non-local client appoint the representative?

For purposes of registration applications, this can be done with a letter of authority, which the representative must submit at the time of registering the application at the Customs branch or when requested by a Customs official.

18. Will the DA185 form still be used?

Yes, for client type applications not addressed by RLA Release 1.

19. What is the turnaround time for RMM to become effective?

This is real time/immediate, as there is no intervention by SARS at the time of accepting/declining a relationship disclosed or the cancellation of such relationships.

20. What is the turnaround time for RLA applications via eFiling?

The system has not yet been tested, therefore the turnaround time for application processing cannot be confirmed at this stage.

21. Does the Representative need to sign on behalf of the client?

If the application is done via a Customs branch, the person submitting the application will be required to sign at the end of the application submission process.

22. When will all current clients be moved to RLA?

Current clients need not apply at time of implementation. Current clients will be able to move to RLA when requested to do so by Customs operations.

23. How do current clients make amendments?

Amendments of client types currently registered with Customs will be managed via the current process.

24. Do all clients need to apply for RLA?

No. Applications via the RLA system will be determined by the client types covered under Release 1. Please refer to the website for a list of RLA Release 1 client types.

25. Are Excise clients also involved in this RLA application?

No.

26. Is the RMM facility already in place?

No.

27. Regarding RMM, 7 days period has been mentioned for acceptance or rejection. Is it 7 business or 7 calendar days?

7 calendar days

28. How will non-local clients declare a relationship on RMM if the Clearing agent is not registered for RLA?

If both clients do not have registered and active client types on RLA, then no relationship between these client types can be declared on RMM.

29. Can a client have more than one relationship?

Yes, the system does not limit the type and number of relationships that a client can disclose.

30. During RLA application, why is it important to change the profile from individual to organisation?

It is important that the profile be changed as the capability does not exist on the eFiling system for an “entity” with an “individual” profile to submit an RLA application. The Customs Registration functionality can only be accessed with an Organisation eFiling profile.

31. How is RMM managed in terms of Consultants and registered Clearing agents?

In order for a relationship to be disclosed on RMM, the client type eg. clearing agent, has to be recognised on the system. RMM does not restrict the nature of client types in the relationships that are disclosed. Consultants are not deemed to be a client type, therefore the system does not cater for this nature of relationship.

32. Can a local client register on behalf of a non-local client?

Yes, provided that the necessary authority / mandate has been provided by the non-local.

33. Will there be any search engine to view other party's information?

No

34. Is it a mandatory requirement to have RMM if you are a registered Agent?

Not in Release 1

35. Is RMM applicable to current clearing agents?

Yes, but it is not mandatory as all clients will not be on RLA, hence they will not be able to disclose the applicable relationship.

36. Does the RLA system provide an option to blacklist a clearing agent from having client information?

No

37. Will the system be able to ask for additional supporting documents?

Yes, any additional supporting / related documents required may be requested by the official via the system.

38. When is the system taking effect/going live?

The current scheduled date is around September 2019

39. Will the renewal of licences also be done via the RLA system?

Not in Release 1; it will be managed via the current manual process.

40. As an existing Freight Forwarder with an importers code, when our licence is up for renewal, can we renew online via the eFiling portal, or must we follow the manual process (DA185)?

An existing importer is not required to renew licences on the new system or DA185. If the client is licensed as an existing Clearing Agent, then the client must follow the existing DA185 renewal process for the clearing agent licence. If the client is not already licensed as a clearing agent and the new system is in effect, the client must submit the new clearing agent license application via RLA. Any subsequent renewals of this application must, however, be done via the DA185 current manual process until the renewal functionality is incorporated into the RLA system.

41. Once renewed online via eFiling, can we then renew online annually?

See above

42. New clients (non-local) have to have an importers code to be able to import, do they now have to have a valid SA bank account?

All clients registering via the RLA system must make use of a SA bank account and the new rules to Sections 59A and Section 60 make this (SA Bank account) mandatory at the time of submission.

43. What about existing importers who are local with their own importers code?

Existing clients with Customs codes will not need to re-register themselves on the new RLA system. They will be allowed to trade as they do today. However, Customs Operations may call on existing clients to update their existing registration information at a later stage, after the implementation of Release 1.

44. We are currently registered as a client type 18 (clearing agent), do we now have to apply via RLA or only upon renewal?

Migration of clearing agent licenses from current DA185 to RLA should only be done when SARS communicates such. Existing clients with Customs codes will not need to re-register themselves on the new RLA system. They will be allowed to trade as they do today. However, Customs Operations may call on existing clients to update their existing registration information, subsequent to implementation.

45. The relationship between our existing base and new clients: once we are registered on RLA, do we then have to load the details of all existing and new clients on eFiling to prove the relationship?

No loading of existing clients' details will be required.

These are the scenarios impacting relationships:

- *Both clients are on the current registration system* – These clients are linked via the DA 185D form, and a relationship currently exists, therefore no further action is required.
- *Both clients are on RLA (New system)* – if the clients are on RLA, then relationships can be disclosed on the RMM functionality.
- *Non-local Client on current registration system and Registered Agent on RLA (New system):*
 - These clients cannot disclose on the RMM;
 - The Non-local will have to submit a DA185 application, including the DA 185D under the current manual process to update this nomination.

- *Registered Agent on the current registration system and Non-local Client on RLA (New system):*
 - These clients cannot disclose on the RMM;
 - Non- local client to provide a DA185D as a supporting document to the application on the RLA, in order to nominate the registered agent.

46. The requirement of the non-local trader submitting their banking details – Can eFiling accept foreign bank accounts (the understanding is that only RSA bank accounts can be used on eFiling)? If the foreign bank cannot be used, then would it mean the local clearing agent would use their own account as a “proxy account”, thereby implying that the non-local trader will not be able to register on the eFiling RLA platform independently of a local clearing agent?

The registration for eFiling and the declaration of a bank account for Customs Registrations are two separate issues.

For purposes of Customs registration under the new rules (as published for external comment), it is required that the client must declare a South African bank account (his own or that of a 3rd party, which need not necessarily be that of his agent).

For purposes of eFiling registration, the client (including a non-local) must be a legal entity with SARS before he is allowed to register and activate his eFiling profile, which can happen independently of any agent.

47. What is the mode of application for licensing/registration?

The applications can be submitted via:

- the Branch Front End (BFE) at a Customs office;
- electronically via eFiling; or
- the current manual process for non-RLA related applications

48. Will a Clearing agent be able to register on behalf of a client?

No

49. Will SARS notify clients of any lapses in registration/licensing?

It is the responsibility of the applicant to ensure the necessary compliance with registration/licence conditions. SARS may, however, inform clients when such lapses in their status occur.

50. If one party is not in good standing, how will it affect Relationship Management (RMM)?

In order for a relationship to be registered on RMM, both clients must have a valid and active Customs Code issued by the new RLA system.

The credibility of a client does not impact the disclosure of a relationship.

51. What happens if the trader uses more than one Clearing Agent at different ports?

This is allowed under Relationship Management.

52. How are the relationships verified?

The nominator will disclose a relationship on RMM and this will only be registered on the system if the nominee accepts such. Once this relationship is accepted by the parties on RMM, it is the responsibility of the parties to manage such a relationship.

53. Is the relationship based on activity level or entity level?

Activity level

54. Will RMM prevent unauthorised traders from misusing my Customs Code?

Yes, once the programme is fully implemented.

55. Re-use of supporting documents – how will this be addressed and which documents will be re-used?

Documents that are common across all applications types e.g. proof of address, may be re-used based on the system's capability to store and access these documents electronically. Documents which are application-specific will not be re-used.

56. Query management – when an application is submitted, how will a query about the application be managed?

The client will be contacted electronically via the RLA system.

57. Will the status of the license or registration be national or office based?

With the exception of licenses for premises, which will be office-based, all other licences/registrations will be national.

58. What are the reasons for rejecting applications for RLA?

Reasons for rejections will be included in the letter of refusal.

59. Will supporting documents have to be submitted for each client type application?

Documents that are common across all application types e.g. proof of address, may be re-used based on the system's capability to store and access these documents electronically. Documents which are application specific will not be re-used.

60. Will the application form be similar to a tax return, i.e. select what is applicable to me and only the required fields will be available?

Yes

61. Which automated notifications will be available in the first release?

Approval Letter, Refusal Letter, registration certificate or licence.

62. Notifications on the dashboard – can the client re-print from the dashboard and request confirmation of his status/client activity registration?

Yes, the client can access the dashboard from which he can print all notifications issued, including approvals granted.

63. What about the issuing of Customs Codes for existing clients who make a new application?

An existing client will not be issued a new Customs Code, but will retain their existing assigned Customs Code.

64. Why are not all client types covered in R1, why only 45 clients types and not all?

Based on system capability and realignment to the 1964 Act, it was not possible for all client types to be accommodated in Release 1.

65. How will clients and SARS users know what supporting documents are required per application?

- The Policy will indicate all documents required;
- The system will also define what supporting documents are needed at the time of submission;
- The ability exists for an officer to request any other document deemed necessary.

66. If a foreign company wants to register, will SARS allow such?

Yes. All foreign client types that are required to register as per the Act, will be allowed to do so e.g. Importer/Exporter Foreign.

67. Is the Relationship Management termination immediate?

Yes. The process is real time.

68. Will trade be notified electronically if the RLA application has been approved or declined?

Yes

69. Will a first time Customs applicant be able to apply on eFiling?

Yes, provided the client has an active eFiling profile.

70. Will the RLA workflow be visible to trade, i.e. where in the process the RLA application is?

No

71. Will Customs codes change upon RLA registration?

Current Customs codes will not change

72. One of the concerns raised was when clearing agents/freight agents or a third party submit a registration on behalf of an applicant. Feedback is only sent to the applicant, who may be overseas, and not the third party who is mandated to manage the registration. This creates problems when the applicant is emailed a request for more documentation and they do not respond, which results in a rejected application that needs to be resubmitted, using more of Customs resources. Or applicants are sent their registration code and they say they did not get it, and then send the third party to follow up and ask for the code, which takes up additional Customs time and resources as someone needs to look it up and resend it to the applicant. If both the applicant and the mandated third party managing the registration receive the same communication from Customs, which can be done by cc-ing the third party in the email to the applicant, these time-wasting situations would no longer occur.

If submitted at a Customs branch: whatever contact information is submitted on the application will be what the system uses. There is no other mechanism to include CCing of a “representative”.

If submitted via eFiling: A registered Customs client may assign roles/rights on his eFiling profile to his “representative” in order for the representative to manage/access all relevant registration information.

This problem would therefore be addressed by registering for RLA on eFiling.