



BONDS

Effective Date: 26 March 2025

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1 PURPOSE

- a) This policy prescribes the:
- i) Different forms of surety bonds and/or addendums that may be required before a person, premises or facility will be registered or licensed in terms of the Act;
 - ii) Approved financial institutions;
 - iii) Amount of security required upon request or at time of application;
 - iv) Requirement that relates to the verification of surety bonds, addendums and supporting documents;
 - v) Circumstance, time periods and the conditions when existing registered surety bond and/or addendum should be:
 - A) Replaced;
 - B) Cancelled; or
 - C) Withdrawn.
 - vi) Authentication of surety bonds and/or addendums.
- b) This document **does not** apply to:
- i) Licensing, Registration and Designation as well as breaches of security or conditions as prescribe in SC-CF-05;
 - ii) Excise Bonds as prescribe in SE-FS-04;
 - iii) Other forms of security for e.g. placing liens are covered in the enforcement procedures;
 - iv) Accreditation Verification and De-Accreditation Policy as prescribe in SC-CF-06; and
 - v) Plant and machinery which cannot be used as security to cover any customs security risks.
 - vi) Management of deferrals as prescribe in SC-DT-B-02.

2 POLICY STATEMENT

2.1 Surety bond and the usage thereof

- a) A surety bond:
- i) Is a contract whereby the guarantor (issuer of the surety) assumes responsibility to pay any debt owed to SARS by the registrant or licensee, if he / she fails to meet his / her obligation as stipulated in such surety bond; and
 - ii) Can be obtained from different financial institutions for each activity to be registered or licensed. For example, a surety bond from financial institution X for his / her rebate store activity and a surety bond from financial institution Y from his/her Customs warehouse premises.
- b) Only one (1) surety bond and / or addendum may be furnished to secure the risk per functionality and / or the limit required. In other words, a client cannot have a bond from financial institution X and another from financial institution Y both for the same warehouse bond.
- c) A surety bond may be requested upon the submission of an amendment to an existing active client registered, licensed or accredited prior to the effective date of this policy document.
- d) **A consignor bond must be furnished by a person as per Rule 64D.11(5)(a) if goods are transported by:**
- i) **A South African licensed carrier; or**
 - ii) **A foreign carrier not located in South Africa and represented in South Africa by a registered agent.**
- e) The EA01 (Addendum: Amend bond amount) or EA02 (Addendum: Licensed Distributor of Fuel) must only be used to increase the amount of the original bond amount which therefore increases the total surety.

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- f) Clients can make use of various financial institutions for various client type bonds. This means that a client can have a rebate bond from financial institution X and a warehouse bond from financial institution Y.
- g) The client is responsible for informing SARS immediately if any information on a bond / addendum e.g. financial institution, director, etc. has changed.

2.2 Form of surety bonds

2.2.1 Registration and /or licensing of activities regulated by the Act

- a) The table below list the:
 - i) Various surety bonds that must be submitted before an activity will be approved, registered, licensed or accredited as prescribed in SC-CF-05.
 - ii) Previous approved and registered surety bonds that remains active unless there is a legal requirement to replace it for example, a change in the conditions of the surety bond or an increase in the amount of surety provided.
- b) Customs:

NEW SURETY BOND DETAILS		TITLE OF SURETY BOND	PREVIOUS SURETY BOND DETAILS	
FORM	TITLE 2.2.1		BOND REF. NO	TITLE
CB01	Customs Bond: Consignor	Consignor	Pro Forma - Rule 64D	Pro Forma Bond by a Consignor in respect of the Removal or Carriage by Road of Bonded Goods entered for Removal in Bond or for Export.
CB02	Customs Bond: Road Remover	Licensed remover of goods (Road carrier)	Pro Forma – Rule 64D	Pro Forma Bond for a remover of goods in bond.
CB03	Customs Bond: Rebates (Schedule 3)	Rebate user (Schedule 3)	DA 107	Customs and Excise Bond: Rebates.
CB04	Customs Bond: Clearing Agent	Clearing Agent	DA 110	Customs and Excise Bond: General.
CB06	Customs Bond: Rebate (Item 410.03)	Specific Schedule 4 (Item 410.03)	Form 77	Customs and Excise Special Bond.
CB07	Customs Bond: Rebate (Item 470.03)	Specific Schedule 4 (Item 470.03)	SC-SE-04-FR1	Bond for Importing Goods in terms of Item 470.03 and note 7 (d) of Schedule 1 Part 4.
CB10	Customs Bond: Manufacturer in CCA	Manufacturing Warehouse in a CCA	None – new requirement	None
CB11	Customs Bond: Warehouses	Customs Warehouse	DA 108	Customs and Excise General Bond for Approved Warehouses

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NEW SURETY BOND DETAILS		TITLE OF SURETY BOND	PREVIOUS SURETY BOND DETAILS	
FORM	TITLE 2.2.1		BOND REF. NO	TITLE
				<ul style="list-style-type: none"> Storage of dutiable imported goods (SOS). Storage of imported goods (OS). Storage of imported goods – Stockist (OS). Storage of duty-free imported goods for export i.t.o. Section 21(3) (SOS). Storage of dutiable locally manufactured goods for export (SOS). Storage of locally manufactured and/or imported for supply as ship/aircraft stores (SOS). Storage of locally manufactured and/or imported goods for supply to duty- and tax-free shops and for the supply as ship/aircraft stores (SOS).
CB11 (continues)	Customs Bond: Warehouses (continues)	Customs Warehouse (continues)		<ul style="list-style-type: none"> Storage of locally manufactured and/or imported goods for operation of an inbound or outbound and inbound and outbound duty- and tax-free shop.
			None – new requirement	<ul style="list-style-type: none"> Storage of any imported goods for home consumption or export in a Customs Controlled Area of a Special Economic Zone.
CB12	Customs Bond: Degrouping Depot	Degrouping Depot	Pro Forma – Rule 64G	Pro forma Bond for a licensed <u>Degrouping Depot</u> .
CB13	Customs Bond: Container Depot	Container Depot	SC-SE-04-FR2 SC-CF-05-FR03	Bond Container Depot Operator Customs Surety Bond for Container Depot.

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NEW SURETY BOND DETAILS		TITLE OF SURETY BOND	PREVIOUS SURETY BOND DETAILS	
FORM	TITLE 2.2.1		BOND REF. NO	TITLE
CB14	Customs Bond: Ship Wrecks	Ship Wrecks	DA 262	Bond To Search for Abandoned Wrecks Along the Coast Of The Republic Of South Africa And To Take Possession Of Articles Recovered There From (DA 262).
CB15	Customs Bond: Container Operator	Container Operator	No reference	Bond To Operate Containers in The Republic Of South Africa On Behalf Of Container Operators Which Are Foreign Companies – Or – Customs And Excise Container Operator Bond.
CB19	Customs Bond: SEZ Operator - CCA Rebate	SEZ Operator	None – new requirement	None
CB20	Customs Bond: SEZ Operator - CCA SOS Warehouse		None – new requirement	None
CB21	Customs Bond: SEZ Operator - CCA Manufacturing Warehouse		None – new requirement	None
CB22	Customs Bond: Registered Agent	Registered Agent	None – new requirement	None

c) Excise

Bond Header Description		Bond number	Standard amount of security (the amount the applicant determines as limit for coverage)
a)	Excise Bond: Licensed Distributor of fuel	EB01	i) The surety amount must cover any duties and levies on goods that will be transported at any given time.
b)	Excise Bond: Environmental Levy	EB02	i) An amount that will cover any levies that will be rebated at any given time in an approved Excise manufacturing warehouse. ii) As a standard, new clients are requested to project the levies on goods that will be rebated in a twelve (12) month period. iii) The standard for existing clients is the levies that were rebated in the preceding twelve (12) months. iv) The standard amount for levies should only cover dutiable commodities / material – therefore the standard amount should exclude any material, which is duty free.

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Bond Header Description	Bond number	Standard amount of security (the amount the applicant determines as limit for coverage)
c) Excise Bond: Rebates (6 th Schedule)	EB03	<ul style="list-style-type: none"> i) An amount that will cover any duties / levies that will be rebated at any given time in an approved Customs and Excise rebate store. ii) As a standard, new clients are requested to project the duties / levies on goods that will be rebated in a twelve (12) month period. iii) The standard for existing clients is the duties / levies that were rebated in the preceding twelve (12) months. iv) Applicants for registration as a <u>Schedule 6 Rebate User</u>, who intend to receive and store un-denatured and / or partially denatured spirits, who must lodge surety which is the greater of R20 000 or the amount contemplated in (i), (ii) or (iii) above, before such a client / premises may be registered.
d) Excise Bond: Manufacture of Excisable products	EB04	<ul style="list-style-type: none"> i) An amount that will cover any duties / levies that will be rebated at any given time in an approved Customs and Excise manufacturing warehouse. ii) As a standard, new clients are requested to project the duties / levies on goods that will be rebated in a twelve (12) month period. iii) The standard for existing clients is the duties / levies that were rebated in the preceding twelve (12) months. iv) The standard amount for duties / levies should only cover dutiable commodities / material – therefore the standard amount should exclude any material, which is duty free. v) Applicants for the licensing of a <u>Tobacco Manufacturing Warehouse</u>, who intend to manufacture cigarettes, must lodge surety which is the greater of R2 million or the amount contemplated in (i), (ii) or (iii) above, before such a client / warehouse may be licensed. vi) Applicants for the licensing of a <u>Fuel Manufacturing Warehouse</u>, who intend to manufacture petroleum products, who must lodge surety to the amount of R5 million before such a client / warehouse may be licensed.
e) Excise Bond: Approved warehouses (OS / SOS)	EB05	<ul style="list-style-type: none"> i) The standard surety amount must cover the duties / levies and taxes on goods that will be stored in a licensed Customs and Excise warehouse and be calculated based on a one (1) month average of the duties / levies and taxes calculated over a twelve (12) month period. ii) Applicants for the licensing of a <u>Tobacco Special Storage Warehouse</u>, who intend to

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Bond Header Description	Bond number	Standard amount of security (the amount the applicant determines as limit for coverage)
		iii) store cigarettes, who must lodge surety which is the greater of R2 million or the amount contemplated in (i) above, before such a client / warehouse may be licensed. Applicants for the licensing of a <u>Fuel Special Storage Warehouse</u> , who intend to store fuel, must lodge surety which is the greater of R1 million or the amount contemplated in (i) above, before such a client / warehouse may be licensed.

- d) When a registrant or licensee fails to comply with the provisions that regulates such registered or licensed activity over a period of six (6) months, SARS may require the registrant or licensee to provide:
- i) A surety bond if not provided at time of registration or licensing;
 - ii) When a surety bond has been waived; or
 - iii) The increase or decrease of an existing bond.
- e) Only surety bonds and / or addendums **in terms of Rule 12.08 must be** issued from one (1) of the following approved financial institutions must be accepted, below is the links to the list of:
- i) A South African bank registered with the South African Reserve Bank ([SA registered banks and representative offices \(resbank.co.za\)](http://resbank.co.za)):
 - A) Locally Controlled Banks;
 - B) Branches of Foreign Banks;
 - C) Foreign Controlled Banks; and
 - D) Mutual Banks;
 - ii) A licenced Insurer with the Financial Sector Conduct Authority (FSCA) (fsc.co.za/MagicScripts/mgrqispi.dll?APPNAME=Web&PRGNAME=List Of Registered Insurers)
- f) Sureties will not be accepted from Banks in Liquidation or Foreign bank representatives
- g) Carbon Tax is currently regarded as a low-risk tax because that tax is levied on greenhouse gases (GHG) that have already been emitted into the atmosphere, a year before the carbon tax is to be declared and payable. Therefore, a surety bond is not required for Carbon Tax purposes as there is no dutiable goods to safeguard.
- h) Tobacco leaf dealers are not required to provide a surety bond because they do not have any liability towards SARS but only have an obligation to keep and retain records.
- i) A legal entity cannot provide their own bonds e.g. **a financial intuition** wants to issue a bond to **one (1) of its bank divisions**. Should have separate registration numbers (CIPC).

2.2.2 Temporary importation of goods

- a) Good temporarily imported into South Africa is govern by the provision of:
- i) Rebate item 470.02;
 - ii) Rebate item 480.00; or
 - iii) Rebate item 490.00.
- b) A person or an importer who temporarily imports goods into South African in terms of the above-mentioned rebate items must at time of importation provide a provisional payment that cover all the duties and taxes payable as prescribe in SC-CF-24 at time of clearance of such goods. If not able to

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provide such provisional payment the person or the importer may request to provide a surety bond instead of a provisional payment.

- c) Application to request permission to submit a surety bond instead of a provisional payment.
 - i) The person or the importer shall submit a letter to the nearest Customs Branch office, requesting permission to submit a surety bond [CB23 – Temporary Rebate (Schedule 4)] instead of a provisional payment.
 - ii) SARS must send SC-SE-04-A04 to the applicant:
 - A) Indicating the amount of surety to be provided; and
 - B) Requesting the applicant and the applicant’s financial institution to complete the CB23.
 - iii) The applicant must submit the original completed CB23 to the applicable Customs Branch office for validation as prescribe in paragraphs 2.7. If the original completed CB23 is:
 - A) Invalid, SC-SE-04-A06 must be send to the applicant indicating the correction action required; or
 - B) Valid:
 - i) Register the surety bond (CB23); and
 - ii) Sends SC-SE-04-A23 to the applicant and SC-SE-04A24 to the relevant financial institution.
- d) An appointed guaranteeing association in South Africa shall complete the applicable surety bond:

FORM	TITLE	APPROVED GUARANTEEING ASSOCIATIONS
CB16	Customs Bond: ATA Carnets	SACC
CB17	Customs Bond: CPD Carnets	AA

2.2.3 SEZ Operator and CCA Enterprises

- a) When a SEZ Operator manage and control a CCA Enterprises located in a CCA within that SEZ may arrange a surety bond on behalf of the following types of CCA Enterprises:
 - i) Rebate registrant in terms of Rebate Item 498.01 (see CB19);
 - ii) Special storage warehouse (see CB20), or
 - iii) Manufacturing warehouse (see CB21).
- b) Before an SEZ operator shall be registered to import any goods for the use in the construction and maintenance of the infrastructure of a CCA in a SEZ in terms of rebate item 498.02 the operator shall provide surety (see CB09).
- c) A CCA enterprise who wishes to license the following activities and arrange his/her own surety shall provide the following surety bonds:
 - i) Manufacturing warehouse (see CB10); or
 - ii) Special storage warehouse (see CB11).
- d) A CCA Enterprise situated in a CCA within a SEZ who has a licensed manufacturing / storage warehouse may extend his/her manufacturing / storage warehouse either within the same CCA or another CCA of the same SEZ without providing an additional surety bond. If the amount of security needs to be increased because of the extension of the warehouse an addendum (CA01) or new surety bond should be provided.
- e) A CCA Enterprise must be registered as a rebate user before he/she will be able to import any goods in terms of rebate item 498.01, the CCA Enterprise must provide surety (see CB08).

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2.2.4 Deferments

- a) There are two (2) types of deferment accounts:
 - i) One (1) pertains to duties and taxes; and
 - ii) The other one (1) pertains only to VAT.
- b) Before any Customs client will be allocated a deferment account as prescribe in SC-DT-B-02, Customs may require the applicant to provide a surety (see CB05).
- c) The maximum amount of duties and/or VAT that will be deferred over any deferment period needs to be reflected on the DA 650 at time of application for deferment.
- d) When deferment limits need to be temporarily increase during peak periods as prescribe in SC-DT-B-02, the holder of the deferment account shall:
 - i) Inform SARS in writing of the amount to be increased and the period in which the increase will occur;
 - ii) Complete and submit the DA 650 as prescribed in SC-CF-19 to a Customs Branch Office as well as CA02; and
 - iii) Once all the obligations have been met, SARS will cancel the CA02.

2.2.5 Registered agents

- i) Who represents the following Custom client types as who are not located in South Africa as prescribed in SC-CF-19:
 - A) Licensed remover in bond; or
 - B) Searcher of or for wrecks.
- ii) Shall provide the applicable surety bond (see CB02 / CB14) as indicated in the table above.

2.3 Breach of surety bond conditions

- a) When the conditions for which a bond has been furnished are not met, the surety bond amount can constitute the full amount of all duties and taxes outstanding or payable or a portion thereof.
- b) After reasonable attempts have been made to collect from the principal debtor, relevant documentation to substantiate the claim and a request for payment of the actual amount to be paid by the financial institution will be made to the financial institution concerned with a copy to the principal debtor as prescribe in SC-CF-05.
- c) On receipt of a request for the withholding of a surety bond:
 - i) The surety bond will be deactivated to prevent any further transactions to be processed; and
 - ii) The registrant or licensee and the financial institution is notified of the cancellation of the surety bond and / or addendum.

2.4 Addendum

- a) An addendum is:
 - i) An attachment to a surety bond; and
 - ii) Used to increase the amount of security.
- b) The new and/or previous addendum forms listed on the table below remains effective.

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NEW ADDENDUM DETAILS		ACTIVITY	PREVIOUS ADDENDUM DETAILS	
FORM	TITLES		REF. NO	TITLE
CA01	Customs Addendum: Amend Bond Amount	Any registrant or licensee who are required to provide surety	DA 109	Customs And Excise Addendum To Customs and Excise Bond
			Pro Forma – Rule 64D	Pro Forma Addendum Furnished By Consignor For Increasing The Amount Of The Bond – Rule 64D.11(8)
				Pro Forma Addendum To Removal Bond – Rule 64d.10(8)
CA02	Customs Addendum: Amend Deferment Amount	Deferment	DA 651A	Addendum To Deferment Guarantee
EA01	Excise Addendum: Amend Bond Amount	Any registrant or licensee who are required to provide surety	DA 109	Customs And Excise Addendum To Customs and Excise Bond
EA02	Excise Addendum: Distributor of Fuel	Distributor of Fuel	None – new requirement	None

- c) An addendum must be completed by the applicant and the applicant's financial institution. Once completed the addendum must be submitted to SARS for verification and registration as prescribe in SC-SE-04-S01 paragraphs 3.2 and 3.3.
- d) The CA01 / CA02 or EA01 / EA02 may not be utilised to change an existing registrant or licensee's legal identity or change of ownership of the principal. Should any of the said changes occur a new surety bond should be furnished.
- e) When an addendum is required to an original surety bond, it shall be issued by the same financial institution and not different financial institutions for example if the surety bond was issued by financial institution X, the addendum shall also be issued by financial institution X and not Y.
- f) When the security amount has been increased by means of an addendum, the amount shall **form** part of the total security, **while a decrease must subtract from the initial security amount to reflect the revised decreased total security amount on the CA01 and CA02 (refer to paragraph 2.8(iv)).**
- g) The addendum must clearly identify the surety bond to which it refers, including the name of the financial institution, the surety bond number, the date of issue and the name of the principal and the amount by which the surety bond is increased.
- h) The client has fourteen (14) business days to inform to submit DA 650 from the date of the notice to increase the surety limit. If the client intends to request extension, such request must be made in writing and at least two (2) business days prior the due date.

2.5 Security amounts

- a) The amount of security should only cover commodities or material that are dutiable, the amount should exclude any duty-free commodities or materials.
- b) The security amounts can be increased or decrease at any time either by the registrant, licensee or SARS.

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c) The table below prescribes the required amount of security that shall be provided by the applicant at time of application or when requested to indicate the provide such by SARS:

i) For Customs purposes

BOND FORM	TYPE OF CUSTOMS BOND (activity)	THE AMOUNT OF SECURITY REQUIRED
CB01	Consignor	The amount should cover all duties and taxes on goods that will be transported at any given time.
CB02	Road Remover	
CB03	Schedule 3 Rebate items	<p>The amount should cover all the duties and taxes payable on goods that will be imported into South Africa and stored in a registered rebate store at any given time.</p> <p>i) A new registrants shall provide an amount that covers all the duties payable on the imported goods that will be stored in such registered rebated store over a period of twelve (12) month.</p> <p>ii) An Existing registrants of rebate stores shall provide an amount that covers all the duties and taxes that were rebated in the preceding twelve (12) months in such registered rebate store.</p>
CB04	Clearing Agent	<p>No surety bond will be required to be provided at time of application for the registration or licensing of these activities. The registrant or licensee will only be required to provide a surety bond when found to be non-compliant over a period six (6) months after registration or licensing of such activities. For the:</p> <p>i) First non-compliance – R 100 000</p> <p>ii) Second non-compliance – R 150 000</p> <p>iii) Third non-compliance – R 200 000</p> <p>Only one (1) surety bond shall be provided to SARS to conduct business country-wide (all branch offices).</p>
CB22	Registered Agent	
CB05	Deferment	<p>The amount of security will depend on the type of deferment account being applied for. If it is for the deferral of payment of:</p> <p>i) Duties and taxes only, the amount should cover all the duties and taxes that will be payable at time of importation during a deferment period; or</p> <p>ii) VAT only, the amount should cover the VAT that will be payable at time of importation during a deferment period.</p>
CB06	Rebate 410.03 Item	<p>The amount should cover all the duties and taxes on the imported goods rebated at time of importation for storage into a registered rebate store, if:</p> <p>i) A new registrant shall provide an amount that covers all the duties and taxes payable on the imported goods rebated over a period of twelve (12) month.</p> <p>ii) An existing registrant shall provide an amount that covers all the duties and taxes payable on imported goods rebated in the preceding twelve (12) months.</p>
CB07	Rebate 470.03 Item	

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BOND FORM	TYPE OF CUSTOMS BOND (activity)	THE AMOUNT OF SECURITY REQUIRED
CB08	Rebate Item 498.01	The amount should cover all the duties and taxes (in these case taxes exclude VAT) payable on imported goods rebated at any given time, if:
CB09	Rebate Item 498.02	<ul style="list-style-type: none"> i) A new registrant shall provide an amount that covers all the duties and taxes payable on the imported goods rebated in a period of twelve (12) month. ii) An existing registrant shall provide an amount that covers all the duties and taxes payable on imported goods rebated in the preceding twelve (12) months.
CB10	Manufacturer In CCA	<p>The amount should cover all the duties and taxes payable on imported goods rebated at any given time for manufacturing purposes.</p> <ul style="list-style-type: none"> i) New clients are requested to project the duties and VAT on goods that will be rebated in a twelve (12) month period. ii) The standard for existing clients is the duties and taxes on goods that were rebated in the preceding twelve (12) months. <p>No surety bond is required if the applicant is already registered as a rebate user in the same CCA or applies for registration as rebate user and licensing as manufacturing warehouse in the same CCA.</p>
CB11	Warehouse (OS and SOS) including those in a CCA of an SEZ	The standard security amount must cover duties and taxes on goods that will be stored in a licensed Customs warehouse and be calculated based on a one (1) month average of the duties and VAT calculated over a twelve (12) month period.
CB12	Degrouping Depot	The amount of R 1 000 000 (one million rand) should be provided before such activity will be licensed.
CB13	Container Depot	The amount of R 1 000 000 (one million rand) should be provided before such activity will be licensed.
CB14	Customs Bond: Shipwreck (searcher of or for wrecks)	The amount of R 5 000 (five thousand rand) should be provided before the searcher will be allowed to search for wrecks or to search wrecks.
CB15	Container Operator	The amount of R 1 000 000 (one million rand) should be provided before such activity will be approved.
CB16	ATA Carnets (Temporary admission)	The amount should cover all the duties and taxes payable on imported goods temporary admitted into South Africa under cover of a carnet (International documents) at any given time, if:
CB17	CPD Carnets (Temporary admission)	<ul style="list-style-type: none"> i) A new guaranteeing association in South Africa shall provide an amount that relates to all the duties and taxes on imported goods rebated in a period twelve (12) month that have been imported into South Africa under the temporary admission procedure (e.g. carnet). ii) An existing approved guaranteeing association in South Africa shall provide an amount of security that that covers all the duties and taxes that were rebated in the preceding twelve (12) months on goods imported under the temporary admission procedure (e.g. carnet).

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BOND FORM	TYPE OF CUSTOMS BOND (activity)	THE AMOUNT OF SECURITY REQUIRED
CB19	SEZ Operator - CCA Rebate	The amount should cover all duties and <u>taxes</u> (in this case taxes exclude VAT) on the goods that will be stored in a rebate store (located in a CCA of an SEZ) at any given time. The security amount must be project over a twelve (12) month period.
CB20	SEZ Operator - CCA SOS Warehouse	The amount should cover all duties and taxes payable on imported goods that will be stored in the SEZ operator's SOS warehouse (located in a CCA of an SEZ) at any given time. The security amount must be project over a twelve (12) month period.
CB21	SEZ Operator - CCA Manufacturing Warehouse	The amount should cover all duties and VAT payable on the goods that will be utilised in the manufacturing process in a manufacturing warehouse (located in a CCA of an SEZ) at any given time. The security amount must be projected over a twelve (12) month period.
CB23	Temporary Rebate (Schedule 4)	The amount should cover all duties and taxes payable on the goods that will be temporary imported. New clients are requested to project the duties and taxes payable on the goods that will be temporarily imported in the future.

ii) For Excise purposes

BOND FORM	TYPE OF EXCISE SURETY BOND (activity)	THE AMOUNT OF SURETY REQUIRED
EB01	Excise Bond: Licensed Distributor of fuel	The amount must cover any duties and levies on goods that will be transported at any given time.
EB02	Excise Bond: Environmental Levy	<ul style="list-style-type: none"> v) An amount that will cover any levies that will be rebated at any given time in an approved Excise manufacturing warehouse. vi) As a standard, new clients are requested to project the levies on goods that will be rebated in a twelve (12) month period. vii) The standard for existing clients is the levies that were rebated in the preceding twelve (12) months. viii) The standard amount for levies should only cover dutiable commodities / material – therefore the standard amount should exclude any material, which is duty free.

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BOND FORM	TYPE OF SURETY BOND (activity)	THE AMOUNT OF SURETY REQUIRED
EB03	Excise Bond: Rebates (6 th Schedule)	v) An amount that will cover any duties / levies that will be rebated at any given time in an approved Customs and Excise rebate store. vi) As a standard, new clients are requested to project the duties / levies on goods that will be rebated in a twelve (12) month period. vii) The standard for existing clients is the duties / levies that were rebated in the preceding twelve (12) months. viii) Applicants for registration as a Schedule 6 Rebate User, who intend to receive and store un-denatured and / or partially denatured spirits, who must lodge surety which is the greater of R20 000 or the amount contemplated in (i), (ii) or (iii) above, before such a client / premises may be registered
EB04	Excise Bond: Manufacture of Excisable products	vii) An amount that will cover any duties / levies that will be due at any given time in an approved Customs and Excise manufacturing warehouse. viii) As standard new clients are requested to project the duties / levies on goods that will be due in a twelve (12) month period. ix) The standard for existing clients is the duties / levies that are due in the preceding twelve (12) months. x) The standard amount for duties / levies should only cover dutiable commodities / material – therefore the standard amount should exclude any material, which is duty free. xi) Tobacco Manufacturing Warehouse, who intend to manufacture cigarettes, must lodge surety which is the greater of R2 million or the amount contemplated in (i), (ii) or (iii) above, before such a client / warehouse may be licensed. xii) Applicants for the licensing of a Fuel Manufacturing Warehouse, who intend to manufacture petroleum products, who must lodge surety to the amount of R5 million before such a client / warehouse may be licensed.
EB05	Excise Bond: Approved warehouses (OS / SOS)	iv) The standard surety amount must cover the duties / levies and taxes on goods that will be stored in a licensed Customs and Excise warehouse and be calculated based on a one (1) month average of the duties / levies and taxes calculated over a twelve (12) month period. v) Applicants for the licensing of a Tobacco Special Storage Warehouse, who intend to store cigarettes, who must lodge surety which is the greater of R2 million or the amount contemplated in (i) above, before such a client / warehouse may be licensed. vi) Applicants for the licensing of Fuel Special Storage Warehouse, who intend to store fuel, must lodge surety which is the greater of R1 million or the amount contemplated in (i) above, before such a client / warehouse may be licensed.

d) SARS may:

- i) Request the full amount;
- ii) A portion thereof; or
- iii) Waive the requirements for security.

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- e) The requirements of security may be waived in the following instances:
 - i) Activities that are not required to furnish a security in terms of the Act;
 - ii) The clearing agent / registered agent is not required to lodge a security at the time of application;
 - iii) The applicants registered under rebate items 498.01 and 498.02 are exempted from payment of VAT in terms of Schedule 1 to the VAT Act; and therefore, no surety bond is required for the VAT amount; or
 - iv) Goods which at time of importation are free of duty and/or taxes.
- f) Level 2 accredited clients (AEO Security) are exempted from surety payments AEO-S (level 2) clients. Once approved SARS to proceed and cancel bonds without client having to apply, due to a benefit of no bond required once approved for AEO-S level 2.

2.6 Request for surety

- a) The applicant is sent the request for surety letter (SC-SE-04-A04) which indicates:
 - i) The reasons for requesting a surety;
 - ii) The amount of surety to be provided;
 - iii) The type of surety bond and/or addendum to be completed and submitted to SARS within fourteen (14) working days
- b) The applicant and the applicant's financial institution must have completed and signed the required surety bond and / or addendum.
- c) The applicant must deliver the face value surety document to Lehae la SARS, 299 Bronkhorst street, Nieuw Muckleneuk, Pretoria during weekdays from 8h00-16h00 to allow for the successful finalisation of the application.
- d) To collect the delivered surety document, the client should arrange an appointment for collection by sending an email to bondvalidations@sars.gov.za.

2.7 Verification of surety bonds, addendums and supporting documents

- a) The authorised representatives and their witness (es) whose name(s) appear on the surety bond or addendum must initial at the bottom of each page of the surety bond or addendum except for the last page which contains the original signatures of the representatives and witnesses.
- b) If the surety document and/or supporting documents are not in order, the applicant is notified of the required corrective action.
- c) If the applicant fails to comply with the corrective action request, his/her application will be refused.
- d) No original surety bond(s) and/or addendum(s) and resolutions should be submitted to a Customs Branch Office.

2.8 Replacement of existing registered security bonds and/or addendums

- a) A registrant or licensee shall replace an existing registered surety bond and/or addendum, if the registrant or licensee:
 - i) Changes his/her legal status or legal identity for example the name of the registrant or licensee's company name;
 - ii) Merge with other legal entities and there is a change required in the registrant's or licensee's legal identity;
 - iii) Is taken over by another legal entity;
 - iv) **Provision to decrease a surety amount can be made through the CA01 and CA02;** or
 - v) Changes his/her financial institution.

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- b) When a registrant or licensee has to amend his/her particulars pertaining to a registered surety bond and/or addendum or must increase or decrease the amount of security. The registrant or licensee shall within seven (7) working days:
 - i) Submit his/her application through the relevant submission channel as prescribed in SC-CF-19;
 - ii) SARS shall reconsider the risk;
 - iii) Recalculate the amount of security required; and
 - iv) Send a notification requesting security to the registrant or licensee.
- c) When the amount of security should be decreased, and the amount secured:
 - i) Is the same as an addendum, the Registration and Licensing Officer shall:
 - A) Send a notification to the registrant or licensee informing him/her that the decreased security amount has been accepted; and
 - B) Cancel the addendum with the relevant financial institution once all the obligations pertaining to the addendum has been complied with.
 - ii) Exceeds the secured amount of the addendum and a portion of the surety bond or is only secured by the surety bond, the Registration and Licensing Officer shall:
 - A) Send a notification to the registrant or licensee to inform him / her that the decreased security amount has been accepted;
 - B) Request the registrant or licensee to obtain a replacement surety bond from the respective financial institution which will replace the existing registered surety bond held by SARS;
 - C) Validate and register the replacement surety bond; and
 - D) Cancel the existing surety bond and/or addendum once all the obligations pertaining to the surety bond and/or addendum has been complied with.
- d) A replacement surety bond and/or addendum shall only become effective on the date following the cancellation date of the previous surety bond and/or addendum. This means that all new transactions shall be processed against the replacement surety bond and/or addendum and not against the surety bond and/or addendum cancelled.

2.9 Withdrawal and cancellation of surety bond or addendums

- a) A surety bond shall be cancelled when:
 - i) There is no further use for such registered or licensed activity;
 - ii) A financial institution notifies SARS of the withdrawal of the surety bond by them;
 - iii) There is a change in legal identity;
 - iv) Unable to adhere to the obligations that relates to such registered or licensed activity; or.
 - v) Decreased in the existing surety bond.
- b) A registrant or licensee who has no further use of the registration or licensed premises / facility, may apply to SARS as prescribed in SC-CF-19 for the cancellation of such premises / facility. As a result all registered surety bonds and/or addendums furnished for such premises / facility shall be cancelled once all outstanding obligations has been complied with.
- c) A registrant, licensee, deferment account holder or financial institution shall notify the Registration and Licensing at the Alberton Campus within thirty (30) calendar days as prescribed in Rule 120.09 of the withdrawal of a surety bond and/or addendum. The thirty (30) calendar day period shall commence from the date of receipt of the notification of withdrawal and not from the date of the notification of withdrawal of security send to the registrant, licensee, deferment account holder or financial institution.
- d) When a financial institution notifies the Registration and Licensing at the Alberton Campus of the withdrawal of an existing registered surety bond and/or addendum:
 - i) The Registration and Licensing shall within three (3) working days, send:
 - A) An acknowledgment of receipt of withdrawal as surety to the financial institution; and

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- B) The notification of withdrawal of surety to the applicable registrant, licensee or deferment account holder of the financial institution's intent to withdraw an existing registered surety bond and/or addendum.
- ii) The applicable registrant, licensee or deferment account holder shall obtain a replacement surety bond and/or addendum from an approved financial institution within thirty (30) calendar days.
- iii) If the registrant, licensee or deferment account holder fails to obtain the required replacement surety bond and/or addendum within the thirty (30) calendar days period of the notification of withdrawal, the Registration and Licensing at the Alberton Campus shall:
 - A) Continue to cancel the surety bond and/or addendum as per the financial institution's notification of withdrawal; and
 - B) Suspend the registrant, licensee activity of a deferment account holder until the replacement surety bond and/or addendum is provided.
- e) The financial institution remains responsible for transactions entered prior to the expiry of the surety bond and/or addendum.
- f) When the registrant, licensee or deferment account holder wishes to cancel an existing registered surety bond and/or addendum with his/her financial institution, he / she shall:
 - i) Notify the Registration and Licensing at the Alberton Campus within thirty (30) working days of his / her intention to cancel his / her existing registered surety bond and/or addendum.
 - ii) Submit the replacement surety bond for validation and registration before the intended date of cancellation of the existing registered surety bond and/or addendum.
 - A) If not able to submit the replacement surety bond on or before the intended cancellation date, he/she shall request SARS for additional time to obtain the replacement bond. The additional time period granted shall not exceed another thirty (30) calendar days.
 - B) If the registrant, licensee or deferment account holder changes his/her decision to cancel the existing registered surety bond and/or addendum, he/she shall inform SARS of such decision. This means that the existing registered surety bond and/or addendum shall remain active, SARS shall not suspend the registrant, licensee or deferment account holder's activity.
- g) Once the surety bond and/or addendum has been cancelled, the Registration and Licensing at the Alberton Campus shall:
 - i) Send the notification of bond and/or addendum cancellation to the registrant or licensee and the financial institution; and
 - ii) Return the original cancelled surety bond and/or addendum to the applicable financial institution.

2.10 Authentication of existing surety bonds or addendums

- a) Finance: Revenue Accounting shall send the annual bond / addendum authentication notification to the applicable financial institutions.
- b) The financial institutions shall within thirty (30) calendar days confirm if the surety bonds and / or addendums are still applicable and valid. If no confirmation is received within the thirty (30) calendar day, it will be taken that the surety bonds and / or addendums are still valid.
- c) If any surety bonds and/or addendums are not authenticated, SARS shall notify the registrant or licensee to obtain a replacement surety bond and/or addendum, or the surety is cancelled.

3 RELATED INFORMATION

3.1 Legislation

TYPE OF REFERENCE	REFERENCE
Legislation and Rules administered by SARS:	<p>Customs and Excise Act No. 91 of 1964: Sections 39(1)(B), 47B(6), 54E (4), 59A, 59A(2)(a), 60(1)(c), 61(1) and (2), 64A(2) and (3), 64B(3) and (4), 64C (1), 64D, 64E, 64(G), 75(10)(a), 101, 101A 107(2)(a), 114, 119A, 120A, 120(1)(mA)</p> <p>Customs and Excise Rules: 18A.08, 18A.10(a), 19A.02(a), 19A4.08(c), 20.17(b), 26.01(f), 37A.14(b), 46A.2.16(c), 49A.12(12)(b), 49B.10(9)4(b), 54F.04(a), 59A.07(2), 59A.08(2), 60.01(1)(e), 60.02(1)(d), 60.07(2), 64B.01(1,2,3,4), 64D.01(1,3)(c), 64D.04(1), 64D.09(4), 64D.10(5), 64D.11(5), 64D.13(9), 64D(19), 64F.02, 64G.03, 64G.04, 64G.06, 120.08, 120.09.</p> <p>Value-Added Tax Act No. 89 of 1991: 7, 11, 13, 14 and Schedule 1</p>
Other Legislation:	<p>Credit Agreements Act No. 75 of 1980: Section 1</p> <p>General Law Amendment Act No. 50 of 1956: Section 6</p> <p>National Archives of South Africa Act No. 43 of 1996: All</p> <p>National Credit Act No. 34 of 2005: All</p> <p>National Small Business Act No. 102 of 1996: Section 1, Schedule to the Act</p> <p>Promotion of Administrative Justice Act No. 3 of 2000: Section 3</p> <p>Public Finance Management Act No. 1 of 1999: All</p>
International Instruments:	<p>Istanbul Convention: Annex A and C</p> <p>Kyoto Convention: General Annex, Chapter 5: Security Standard 5.1 -5.7 Specific Annex D: Chapter 1, Standard 14, Specific Annex E: Chapter 1, Standard 3</p>

3.2 Cross References

DOCUMENT #	DOCUMENT TITLE
SC-CA-02	Internal Administrative Appeal - External Policy
SC-CC-26	Alternative Dispute Resolution – External Policy
SC-CF-19	Licensing, Registration and Designation – External Policy
SC-DT-B-02	Deferment – External Policy
SC-SE-05-A02	Completion of Customs Bonds and Addendums – External Annexure
SC-TA-01-04	ATA Carnet - External Policy
SC-TA-01-06	CPD Carnet - External Policy
SC-TR-01-05	Removal of Goods – External Policy

4 DEFINITIONS AND ACRONYMS

Link for centralised definitions and acronyms: [Glossary A-M | South African Revenue Service \(sars.gov.za\)](https://www.sars.gov.za/glossary)