

SOUTH AFRICAN REVENUE SERVICE

No. R.753

2012-09-14

**CUSTOMS AND EXCISE ACT, 1964
AMENDMENT OF RULES (DAR 106)**

Under sections 15 and 120 of the Customs and Excise Act, 1964, the rules published in Government Notice R.1874 of 8 December 1995 are amended to the extent set out in the Schedule hereto.

**GEORGE NGAKANE VIRGIL MAGASHULA
COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE**

SCHEDULE

- (a) By the substitution in rule 15.01(a) (i) for the definitions of “goods” and “personal effects” of the following definitions:

“**goods**” in relation to goods required to be declared on form DA 331 or forms TC-01 and TRD1 means goods contemplated in section 15(1) carried by a traveller on his or her person or included in his or her accompanied baggage;

“**personal effects**” means, subject to item 407.01 of Schedule No. 4, goods (new or used) in the accompanied or unaccompanied baggage of a traveller which that traveller has on or with him or her or takes along or had taken along for, and reasonably required for, personal or own use, such as any wearing apparel, toilet articles, medicine, personal jewellery, watch, cellular phone, automatic data processing machines, baby carriages and strollers, wheelchairs for persons living with disability, sporting equipment, food and drinks and other goods evidently on or with that person for personal or own use, but excludes goods that must be declared on form DA 331 or forms TC-01 and TRD1 and commercial goods;

(b) By the substitution in rule 15.01(a) for subparagraph (ii) of the following subparagraph:

“(ii) A traveller may only use form TC-01 or forms TC-01 and TRD1, for declaring goods or vehicles required to be declared on these forms at the following places and from the date specified for each place:

Place	Date from
Ramathlabama	30 May 2012
Nerston	9 June 2012
Mahamba	16 June 2012
Mananga	30 June 2012
Jeppe’s Reef	7 July 2012
Nakop	21 July 2012
Violsdrift	21 July 2012”

(c) By the substitution in rule 15.01(a) for subparagraph (iii) of the following subparagraph:

“(iii) A traveller completing forms TC-01 or TRD1 shall comply with the directives for obtaining, completing and submitting these forms as outlined in the Traveller Processing Policy – External and the Standard Operating Procedures: Traveller Assessment and Goods registration for re-importation and re-exportation – External and the Completion Manual for Traveller Declarations electronically available from the SARS website or at any SARS branch office.”

(d) By the substitution in rule 15.01 for paragraph (b) of the following paragraph:

“(b) (i) A traveller entering the Republic shall, except as otherwise specified in these rules—

- (aa) declare all goods or any vehicle on form DA 331 or forms TC-01 and TRD1 as contemplated in paragraph (a)(i) at the place where he or she enters the Republic;
- (bb) comply with any requirement specified in such form or the notes thereto in respect of the goods or vehicle concerned and the directives referred to in paragraph (a)(iii).

- (ii) A traveller leaving the Republic —
 - (aa) may without declaring any goods on a form DA 331 or TC-01 and TRD1 exit the restricted area at the place where he or she leaves the Republic if the goods upon his or her person or in his or her possession are personal effects.
 - (bb) shall -
 - (A) declare on form DA 331 or forms TC-01 and TRD1 any goods on his person or in his possession that are required to be declared on those forms before leaving the restricted area at the place where he or she leaves the Republic;
 - (B) if commercial goods, clear the goods as contemplated in rule 15.02.
- (iii) For the purposes of declaring goods in terms of section 15(1), a traveller leaving the restricted area at the place where he or she leaves the Republic without declaring any goods on form DA 331 or forms TC-01 and TRD1 must be regarded as declaring that he or she has no goods upon his or her person or in his or her accompanied baggage other than the goods contemplated in subparagraph (i)(aa).
- (iv) Any goods or any vehicle temporarily imported or exported must be so declared whether temporarily imported from or temporarily exported directly to any country outside the common customs area or temporarily imported from or temporarily exported to or through the territory of any other country in the common customs area.”

(e) By the substitution in rule 15.01(c)(i) for item (aa) of the following item:

“(aa) Any traveller who has any goods for commercial purposes on his or her person or in his or her accompanied baggage on entering or leaving the Republic must complete the statement in respect thereof on form DA 331 or form TC-01.”

(f) By the substitution for rule 15.02 of the following rule:

“15.02 Except goods that may be declared as provided for under item 410.04 of Schedule No. 4, any goods brought into or taken from the Republic for commercial purposes, whether or not for own use, shall be entered in terms of the provisions of section 38.

- (g) By the substitution in rule 15.03 for the words preceding paragraph (a) and paragraph (a) of the following words and paragraph:

“Subject to these rules, no person –

- (a) entering or leaving the Republic shall remove his or her baggage, or any other goods accompanying him or her, from customs and excise control, or cause such baggage or goods to be so removed unless so authorized by the Controller; and”

- (h) By the substitution in item 202.00 of the Schedule to the Rules of the following forms:

“TC-01 Traveller Card

DA 331 Traveller Declaration”