

FREQUENTLY ASKED QUESTIONS (FAQS) RELATING TO ESSENTIAL GOODS, CLEARANCE AND MOVEMENT OF GOODS, AND SERVICES RENDERED BY CUSTOMS UNDER THE COVID-19 LOCKDOWN

No.	Question and Answer
1.	<p>Q: What is the impact of Covid-19 on SARS Customs during the lockdown period?</p> <p>A: For the latest on the impact of the COVID-19 pandemic on Customs, please see the COVID-19 page on the SARS Website www.sars.gov.za > Covid-19 Related Media Releases and Customs and Excise Updates.</p>
2.	<p>Q: Where do I find the COVID-19 Essential Goods List?</p> <p>A: Essential goods are defined in Annexure B of the Disaster Management Act under “Categories of Essential Goods and Services During Lockdown”.</p>
3.	<p>Q: What is the difference between critical supplies and essential goods?</p> <p>A: Critical supplies are specific goods listed by ITAC that may qualify for both a rebate of duty and an import VAT exemption, on application to ITAC. Essential goods may qualify for an import VAT exemption, without application, provided that they meet specified conditions. Further details are set out in 4. below.</p>
4.	<p>Q: What do we need to know about the importation of critical supplies or essential goods to the national state of disaster (COVID-19 pandemic)?</p> <p>A: Importation of critical supplies to respond to the national state of disaster resulting from the COVID-19 pandemic can be done free of duty and VAT into South Africa. Importation of essential goods can be done free of VAT into South Africa, under certain conditions.</p> <p style="text-align: center;">To qualify for rebate of duty under item 412.11/00.00/01.00</p> <ol style="list-style-type: none"> a) Critical supplies are listed on the ITAC website, as is the application form, which must be furnished to ITAC for approval. b) ITAC will send an email notification to qualify under rebate of duty under rebate item 412.11/00.00/01.00. c) Once granted, the importation will follow the normal import procedure. d) The rebate item is only valid for direct importations and not to be cleared into bond or warehousing. CPC A 14 must be used for importations from outside SACU and CPC A 12 for importations from the BLNS, with measure 412.11/00.00/01.00. <p style="text-align: center;">Import VAT Exemption: Item 412.11</p> <ol style="list-style-type: none"> e) Imports of critical supplies that qualify for a rebate of duty under paragraph 1. automatically qualify for the import VAT exemption. f) Imports of essential goods qualify for the import VAT exemption unless: <ul style="list-style-type: none"> • they are dutiable, • they may enter South Africa duty free as a result of a free trade agreement or Customs Union Agreement, • they are the subject of applications for duty support that are currently pending before ITAC or are goods manufactured by a domestic, or industry that ITAC has determined is being or is likely to be injured by imports. <p>The importer must also be able to prove, on import, that any restrictions imposed on the use and/or sale of the essential goods in the essential goods list will be met.</p>

	<p>g) There is no need to apply for a specific ITAC certificate for essential goods that qualify for the import VAT exemption as set out above.</p> <p>h) The ITAC certificate, which sets out the exclusions in more detail, is available on the Coronavirus page on the SARS website. https://www.sars.gov.za/Media/Pages/CoronaVirus.aspx</p>
5.	<p>Q: What are the conditions for the rebate of duty under item 412.11/00.00/01.00 that are the subject of an ITAC certificate?</p> <p>A: Conditions of rebate provision are:</p> <p>(1) This rebate provision is only applicable for COVID-19 relief purposes and for COVID-19 approved critical supplies, which do not include used or second hand goods.</p> <p>(2) The e-mail notification certificate is non-transferable.</p> <p>(3) For direct importation only and not to be cleared into Bond.</p> <p>(4) Goods imported under this rebate item 412.11/00.00/01.00 shall not be sold or disposed of to any party who is not entitled to any privileges under the rebate item, or removed to the area of Botswana, Lesotho, Swaziland or Namibia without the permission of the International Trade Administration Commission.</p> <p>(5) Goods imported under this rebate item will be subject to monitoring and if a prima facie review establishes that any condition of the certificate is not complied with, the consignment in terms of which the rebate certificate was used can be seized and the rebate certificate will be temporarily suspended while SARS and ITAC conduct an investigation. If it is established that non-compliance took place, appropriate steps will be taken. These steps will be taken in terms of the International Trade Administration Act, 2002 (Act No. 71 of 2002) and the Customs and Excise Act, 1964 (Act No. 91 of 1964), and can include, criminal charges, withdrawal of the certificate or certificates concerned and/or the rejection of future applications for certificates.”</p>
6.	<p>Q: Do I need to apply for the VAT exemption under rebate item 412.11?</p> <p>A: No, ITAC issued a once off/global Certificate in terms of Schedule 1(8) of the Value Added Tax Act, Act 89 of 1991, under Rebate Item 412.11/00.00/01.00 and VAT Exemption Item 412.11/00.00/01.00 (RE: SARS Essential Goods List), except for the exclusions mentioned in the Certificate issue by the ITAC</p>
7.	<p>Q: Where can I find the certificate issued in terms of Schedule 1(8) of the Value Added Tax Act, 1991, item 412.11/00.00/01.00 (RE: SARS Essential Goods List)</p> <p>A: This List is available through a link SARS provided on 3 April 2020 – Goods qualifying for import VAT exemption under item 412.11 – COVID-19 measures (Updated 9 April 2020 to reflect additional exclusion communicated by ITAC, with effect from 8 April 2020). Click on the link which will direct you to the response on the impact of COVID-19 on SARS https://www.sars.gov.za/Media/Pages/CoronaVirus.aspx If the link fails to open, go to the SARS Coronavirus page on the SARS website.</p>
8.	<p>Q: What clearance declaration procedure should be followed in respect of importations of all goods?</p> <p>A: Importation will follow the normal procedure described in the external policy SC-CF-55 – Clearance declaration external policy. CPC A 14 must be used for importations from outside SACU and CPC A 12 for importations from the BLNS, with item 412.11/00.00/01.00.</p>
9.	<p>Q: Must you apply for an ITAC certificate if the goods are duty-free?</p> <p>A: There is no need to apply for an ITAC Certificate for VAT exemption if the goods qualify for the import VAT exemption as set out in 4. above.</p>

10.	<p>Q: I wanted to find out if you knew where we could get a list of all the medical products that will be VAT exempt?</p> <p>A: See the ITAC list of critical supplies available on the ITAC website and the illustrative mapping of essential goods to their relevant tariff headings available on the Coronavirus page on the SARS website. The illustrative mapping has been prepared at a high level and may include non-essential goods. e.g. Chapters 28 and 29 contain chemicals that are not used for essential goods.</p>
11.	<p>Q: How long will the VAT Exemption Certificate issued by ITAC apply?</p> <p>A: This Certificate will be valid from the date of application and shall remain valid for goods cleared up to and including 31 May 2020.</p>
12.	<p>Q: Where can I find a list of goods that will benefit for a full rebate of customs duty and VAT exemption?</p> <p>A: For goods to benefit from a full rebate of customs duty (as well as a VAT exemption), they must appear on the List of Critical Supplies appearing on ITAC's website (clicking on the Covid-19 banner near the top of ITAC's homepage, will re-direct one to that list). On the same page there is an application form and other relevant information.</p>
13.	<p>Q: I need clarity on the temporary rebate application process for importation of undenatured ethyl alcohol to be used in the manufacture of hand sanitisers</p> <p>A: All registration activities will be postponed. However, an exception process has been set up centrally to cater for the registration of entities importing essential goods. For registration as an importer and a rebate manufacturer of essential goods, the following procedure must be followed:-</p> <ol style="list-style-type: none"> 1. Submit applications for import/export via email to BMvubu@sars.gov.za / NMotete@sars.gov.za / avandermescht@sars.gov.za 2. This should include: <ul style="list-style-type: none"> • A completed DA185 • Relevant supporting documents • A commercial Invoice clearly stating the value and the description of goods in question.
14.	<p>Q: Are border posts open for imports and exports of goods?</p> <p>A: All borders of the Republic are closed during the period of lockdown, except for ports of entry designated by the responsible Cabinet member for the transportation of fuel, cargo and goods during the period of lockdown as set out in Regulations published on 2 April 2020.</p>
15.	<p>Q: I want to import face masks. Can I apply for a customs importers code?</p> <p>A: Yes, follow the above mentioned procedure in No. 13.</p>
16.	<p>Q: I want to follow up on the status of my registration submitted prior to the lockdown. Where to now?</p> <p>A: All enquiries in this regard should be sent to Brita Groenewald at bgroenewald@sars.gov.za</p>
17.	<p>Q: I want to license a bonded warehouse. Where can I submit my application to?</p> <p>A: All licensing activities have been postponed, with the <u>exclusion of licensing for rebate manufacturer</u> of essential goods i.e. sanitisers. These clients should submit their applications to BMvubu@sars.gov.za / NMotete@sars.gov.za / avandermescht@sars.gov.za</p>
18.	<p>Q: We want our facility to be registered as a de-grouping facility to ease congestion in our transit shed. Is this allowed?</p> <p>A: This may be considered provided the requirements prescribed in rule 64G.09 of the Act are met. All applications in this regard should be forwarded to BMvubu@sars.gov.za / NMotete@sars.gov.za / avandermescht@sars.gov.za for consideration.</p>

19.	<p>Q: Do I need to register with SARS if I want to manufacture essential goods imported under rebate of duty?</p> <p>A: You have to be a registered importer. Applications may be sent to BMvubu@sars.gov.za/NMotete@sars.gov.za/avandermescht@sars.gov.za</p>
20.	<p>Q: Do I have to be registered to import essential goods under rebate item 412.11?</p> <p>A: No registration is required to enter under the rebate item. However, registration for an importers customs code number is required; application to be made as described above</p>
21.	<p>Q: May I use the General Customs Code 70707070 to import material for purposes of manufacturing essential goods?</p> <p>A: No, unless you comply with the rule 59A.03(1)(iii)</p>
22.	<p>Q: May I use the General Customs Code 70707070 to import essential good such as face masks under rebate of duty?</p> <p>A: No, unless you comply with the rule 59A.03(1)(iii)</p>
23.	<p>Q: I want to import essential goods but do not have a customs importers code. What can I do?</p> <p>A: You have to apply for an importers code. An application form DA 185 plus relevant annexures and supporting documents and a commercial Invoice clearly stating the value and the description of goods in question as per the DA 185 has to be emailed to BMvubu@sars.gov.za/NMotete@sars.gov.za/avandermescht@sars.gov.za. Please ensure all sections are completed in full.</p>
24.	<p>Q: During what time and days are customs offices open?</p> <p>A: Customs offices are closed for conducting usual business. SARS urges clients to make use of digital channels to communicate with SARS as far as possible to limit the need for visiting our offices. Staff will be available to respond to email and telephone enquiries throughout the lockdown period. Appointments to come into certain offices can be made by contacting the particular office. Contact details are on the Customs and Excise page of the SARS website.</p>
25.	<p>Q: Will origin certificates be processed for essential goods?</p> <p>A: Customs clients submitting Certificates of origin, including: Form A, EUR1, SADC, MERCOSUR and AGOA, will continue to do so at their local branch as per communiqué dated 26 March 2020 (using an appointment process).</p>
26.	<p>Q: When can I make an appointment for the processing and issuing of ROO certificates, processing of manual provisional payments and DA 73?</p> <p>A: This should be made a day in advance.</p>
27.	<p>Q: I wish to follow up on cargo held by Customs for inspection. Traders require updates on inspections.</p> <p>A: The Customs Branch Manager should be contacted, contact details are available on the SARS Coronavirus page on the SARS website.</p>
28.	<p>Q: Can I send my queries to SARS Head Office?</p> <p>A: To save duplication and time, clients are reminded that queries must be sent to the relevant branch/processing hub first before escalation to osc@sars.gov.za.</p>
29.	<p>Q: To whom should queries be escalated in the event that the customs Branch Office can't resolve my issue?</p> <p>A: During the COVID-19 pandemic, SARS Customs has set up a command centre to deal with escalations that may not have been dealt with at branch level. Your existing call reference number, transaction (SSM/LRN) can then be sent to osc@sars.gov.za For processing queries: Please use the escalation mailbox Escalation-C&E@sars.gov.za</p>
30.	<p>Q: What information should be provided to the Operational Command Centre (OSC) for escalation?</p>

	<p>A: If you need to escalate beyond branch offices, your existing call reference number no and transaction (SSM/LRN) can then be emailed to osc@sars.gov.za</p>
31.	<p>Q: What do I do in the event that my goods were stopped for examination during the lockdown period?</p> <p>A: Customs inspections will now take place in respect of all cargo and will no longer be limited only to essential cargo. We will, however, still prioritise essential cargo for inspection in order to avoid any undue disruption in respect of the supply of critical goods.</p> <p>Extensive use will be made of documentary inspections and, where possible, non-intrusive examination methods will be employed in an effort to limit physical inspections to numbers that match our operational capacity at this time.</p>
32.	<p>Q: Where can I find the Customs Branch Contact details?</p> <p>A: During the lockdown period, for any escalations pertaining to a specific Customs branch, see the Customs Branch Managers contact details on the Coronavirus page or Customs and Excise page on the SARS website.</p>
33	<p>Q: Which services are rendered at customs branch level during the lockdown period?</p> <p>A: Procedures that SARS Customs has put in place during the lockdown period, focusing primarily on <u>facilitating trade in essential services</u> at Customs offices, cover the following:</p> <ol style="list-style-type: none"> 1. Registration, 2. Licensing and Accreditation, 3. Applications for Embargoes, 4. Special Attendance, 5. De-grouping Removal in Bonds, etc. and 6. Physical Inspections.
34.	<p>Q: Is the Customs Branch Front End available for usual customs business?</p> <p>A: No not at all. Branch Offices are closed for usual business.</p> <p>In cases where visits to SARS offices are unavoidable and essential, such as for the processing of origin certificates clients, should contact the relevant branch and make an appointment to come in.</p>
35.	<p>Q: It is said that we must make use of email to contact customs. Where do I find contact details?</p> <p>A: An updated list of contact details (phone and email addresses) for all offices has been posted on the SARS website and can be accessed through the following link: https://www.sars.gov.za/ClientSegments/Customs-Excise/Pages/default.aspx</p>
36.	<p>Q: May imported essential goods be cleared into a licensed Customs and Excise warehouse?</p> <p>A: No, the VAT exemption is only valid for direct importations and not to be cleared into bond or warehousing.</p>
37.	<p>Q: What is the impact of the lockdown in terms of essential services and essential goods?</p> <p>A: See Annexure B to Regulation 11B. to the Disaster Management Act, 2002 on essential services and essential goods</p>
38.	<p>Q: May goods which landed at a port of entry be removed to other places of entry in the Republic?</p> <p>A: Yes, Imported cargo, with the exception of liquor, may be transported from ports of entry to warehousing sites.</p>
39.	<p>Q: May I clear imported goods during the lockdown period?</p> <p>A: Yes, all cargo may be cleared.</p>
40.	<p>Q: May containers with contents be removed to the depot?</p>

	A: Yes, Imported cargo, with the exception of liquor, may be transported from ports of entry to warehousing sites and essential goods may be transported from warehousing sites to essential service providers
41.	Q: Where can I have CN1s printed for release of cargo? A: For printing of CN1's: DBN – DBN_Reprints@sars.gov.za ALB – AlbertonBranch@sars.gov.za Otherwise you may contact the Branch Manager at the Port of entry of the goods.
42.	Q: May essential cargo be released to importers? A: Yes, essential goods may be transported from warehousing sites to essential service providers
43.	Q: Should cargo only be removed under carrier haulage to temporary facilities under customs control? A: No, it is not prescribed that cargo must be moved to temporary storage facilities under carrier haulage only. ie Bonded movement is subject to Customs control, which means that the cargo may only be removed on the basis of a suitable customs clearance (Removal in Bond), and release, or by an approved container operator based on a manifest reflecting the details of the underlying transport document.
44.	Q: I have a consignment of hand sanitisers arriving soon. Which tariff heading applies? A: Sanitisers are grouped under the heading "Disinfectants" as per the tariff and classifiable under tariff heading 3808.94.
45.	Q: I have an "essential" product and don't know where to classify it. A: Formal application for tariff determination relating to the goods can be sent to AMboweni@sars.gov.za
46.	Q: I want to apply for embargo. Where can I send my application to? A: The following is applicable:- 1. All applications for embargoes should be forwarded to osc@sars.gov.za 2. In the case of approval, that email will be your source document to enable further action.
47.	Q: May cargo be transported during the lockdown period? A: See Regulation 11B.(1)(a)(iii) to the Disaster Management Act, 2002_on transportation of goods.
48.	Q: May essential cargo be removed in transit or for export? A: See Regulation 11B.(1)(a)(iii) to the Disaster Management Act, 2002_on transportation of goods
49.	Q: What will happen to non-essential goods after importation? A: See Regulation 11B.(1)(a)(iii) to the Disaster Management Act, 2002_on transportation of goods
50.	Q: Will container operators/carriers, container etc. be allowed to deliver non-essential cargo to importers? A: See Regulation 11B.(1)(a)(iii) to the Disaster Management Act, 2002_on transportation of goods
51.	Q: I need information regarding the transportation of goods. A: See Regulation 11B.(1)(a)(iii) to the Disaster Management Act, 2002_on transportation of goods
52.	Q: To whom should I apply to have temporary storage facilities approved? Q: Submit an application to SARS via e-mail to BMvubu@sars.gov.za / NMotete@sars.gov.za / avandermescht@sars.gov.za on a company letterhead.
53.	Q: Is there a limitation on what may be exported during the lockdown? A: See Regulation 11B.(1)(a)(iii) to the Disaster Management Act, 2002_on transportation of goods.

54.	Q: Can SARS clarify provision of the Regulations relating to the movement of cargo? A: The regulations are issued by the minister of Cooperative Governance and Traditional Affairs in consultation with the Department of Transport. Queries should be directed to the Department of Transport.
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The above FAQs may be subject to amendments at short notice in order to reflect any changes in the Regulations to the Disaster Management Act, 2002, or to address any operational measures that may result from that.