

CLARITY RELATING TO PROCESSING OF CARGO AND TRAVELLERS DURING THE NATIONAL LOCKDOWN

Following the announcement of the national lockdown by President Ramaphosa, media statements and briefings by Cabinet Ministers and regulations published under the Disaster Management Act, SARS issued communication on 25 March 2020 and further details on 26 March 2020 relating to its customs operations. Given several enquiries, it is important that we provide further clarity.

On 25 March 2020, the Department of Transport issued a statement by the Minister of Transport, Fikile Mbalula. The following points relate to cross-border movement of cargo and travellers:

Air

- Only essential air cargo will be allowed. However, cargo from high-risk countries must be sanitised.
- All international and domestic flights are prohibited, irrespective of the risk category of the country of origin

Sea

- Essential cargo will be allowed at our 8 sea ports. However, cargo from high-risk countries must be sanitised
- The ban on cruise ships calling at any of our sea ports will be strictly enforced.

Land

- All cross-border road passenger movements will be prohibited for the duration of the lockdown.
- Cross-border freight movement for essential goods will continue to and from our neighbouring countries.

Disaster Management Act Regulations

On 25 March 2020, the Minister of Cooperative Governance and Traditional Affairs, Nkosazana Dlamini-Zuma published regulations in terms of Section 27(2) of the Disaster Management Act. The following relevant provision is highlighted:

11B 6(a) All borders of the Republic are closed during the period of lockdown, except for transportation of fuel and essential goods.

SARS Communication

In our letter of 25 March 2020, we indicated: *“SARS will continue to administer cross-border movement of goods at all land, sea, airports and permissible travel in line with applicable restrictions.”*

SARS activities during the lockdown will support and be guided by the published regulations under the Disaster Management Act. In this regard, we would like to provide the following clarity:

1. The declaration process is automated and allows traders to clear prior to the arrival of goods. This will proceed as normal insofar as enabling the submission and processing of customs declarations. **However, given the regulations and statements indicated above, traders are encouraged, during the lockdown period, to only submit declarations for goods as provided for in the regulations.**
2. SARS has the necessary capacity to conduct physical inspections as may be required in line with risk management principles and a standby capacity has been created for any exceptions that may arise due to extraordinary circumstances.
3. SARS has the necessary capacity at ports of entry to process the movement of cargo in line with regulations. We have also created standby capacity to respond to any changing circumstances, including decisions by neighbouring countries impacting cross-border movements.

We are aware that discussions are ongoing in terms of the practical implications of the regulations on the transportation of essential and non-essential cargo. We urge trade to continue being part of these discussions and to engage with relevant departments in this regard.