

<b>Document Title</b>	<b>GUIDELINE ON IMPORTATION OF MOTOR VEHICLES (External)</b>
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## 2. Definitions and Acronyms

- 2.1 **“Bond”** refers to a form of security that is provided by the declarant/importer to cover the duties and taxes payable in respect of imported or transit goods.
- 2.2 **“CCC”** refers to the Customs Clearance Certificate issued when a motor vehicle has complied with all clearance requirements.
- 2.3 **“Declarant”** means any person or a party who submits a declaration.
- 2.4 **“GATT”** is an acronym for the General Agreement on Tariffs and Trade.
- 2.5 **“IM 4”** means a declaration made in case of goods that are to be permanently imported into the country; this is also referred to as a declaration for ‘home use’.
- 2.6 **“IM 7”** means a declaration made for goods that are to be entered into a Customs bonded warehouse; the duties and taxes in respect of which are not paid but are secured by the bond put up by the warehouse operator. A warehousing declaration
- 2.7 **“IM 8”** means an inward transit declaration which covers the movement of goods from the point-of entry to an inland office for final clearance or warehousing.
- 2.8 **“Manifest”** refers to a document that lists all the goods consigned on a means of transport during a particular journey (ship cargo, plane cargo, truck or train load)
- 2.9 **“MRO”** refers to the Manzini Customs Regional Office situated at Matsapha.
- 2.10 **“ICD”** refers to the Inland Container Depot which is situated inside the Eswatini Railway premises in Matsapha.
- 2.11 **“Non SACU”** means countries outside the Southern African Customs Union.
- 2.12 **“SACU”** means the Southern African Customs Union, member countries being the Republic of South Africa, Botswana, Namibia, Lesotho and Eswatini.
- 2.13 **“SARPCCO”** refers to the Southern African Regional Police Chiefs Co-operation Organization.
- 2.14 **“SARS”** means the South African Revenue Service.
- 2.15 **“T1”** is a Transit Note through which the security against the inward transit declaration is activated.

## 3. Scope and Purpose

This guideline provides information on the requirements expected from importers in order to enable processing of declarations for clearance for home consumption for motor vehicles imported from the SACU region as well as non-SACU countries. It highlights the changes that have been made in the procedures in relation to the processing of declarations for clearance of motor vehicles; namely:

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- **Decentralising the clearance process to Ngwenya, Mananga, Lavumisa, Mahamba, Sandlane and Matsamo border posts.** This change allows importers to submit the import declaration(s) for motor vehicles that originate from SACU countries at the border through which the vehicle enters the country, without the requirement of making a transit declaration.
- **Removing the completion of an application for valuation as a pre-requisite** to submission of the declaration for home consumption, on which the Customs value to be used on the declaration would be determined and endorsed by SRA prior to submission of an import declaration in respect of the vehicle.

The guideline further explains what requirements the importer is expected to fulfil in the process of clearance of motor vehicles. The listed supporting documents mentioned in this guideline are not exhaustive and should not be read in isolation of documentary requirements as provided in Section 38 (3) of the Customs and Excise Act and Regulation 39(2) of the Customs and Excise Regulations.

It is important to note that Section 13(1) as read with Section 38(1) of the Customs and Excise Act places the obligation that the importer makes a full and truthful declaration.

#### **4. Legislation**

4.1 Customs and Excise Act No 21 of 1971

4.2 General Agreement on Tariffs and Trade (GATT)

4.3 The Value Added Tax Act of 2011

#### **5. Clearance Rules**

5.1 A declaration for home use (IM 4) shall be made for a motor vehicle(s) imported from the SACU countries; this shall be done at the border through which it is imported at the time of its importation.

5.2 Notwithstanding the above, Customs Clearance Certificates shall be applied for and issued at the Inland offices at The Plaza, Corporate Place. Mbabane and Manzini Regional Office (MRO), Matsapha.

5.3 An inward transit declaration shall be made for motor vehicles imported from non-SACU countries and which are covered by a bond. The transit shall be acquitted by an appropriately framed warehouse declaration (IM7) or an import declaration for home use (IM 4) which is properly linked to the transit declaration (IM 8) in order to enable generation of manifest and acquittal of the transit note (T1)

5.4 Motor vehicles that are not imported under a suspense procedure (e.g. being removed in bond) should be declared for home consumption at the point of entry; i.e. at the time when they initially enter the country through the border. However, if the importer is yet to decide on the final destination, the motor vehicle can be warehoused.

5.5 The value of the motor vehicle declared shall be supported by a commercial invoice and other relevant documentation providing information on the price paid or payable

5.6 If in the opinion of the Commissioner, the transaction value cannot be ascertained in terms of Section 66 of the Act or has been incorrectly stated by the importer, the Commissioner may nominate a more appropriate value; the importer has a right to appeal such nominated value.

5.7 The appeal should be made in writing to the Commissioner General and must be supported by any additional information and rationale to support and give contest to the appeal.

5.8 Where the importer does not appeal the value that will be determined as per the above, that value shall be deemed to be the value for customs duty purposes

## **6. Procedures and Roles in clearing Motor Vehicles Imported from Non-SACU Countries**

### **6.1 Clearance of Motor vehicles imported by Rail:**

6.1.1 The carrier's responsibility shall be to lodge and register the manifest.

6.1.2 The shipping line's responsibility:

- a) De-grouping or deconsolidation of master waybills

6.1.3 The declarant 's responsibilities shall be to:

6.1.3.1 Lodge IM7 or IM4 at ICD and attach all supporting documents, which may include:

- a) Auction bidding sheet (if vehicle is bought from an auction);
- b) Auction / tax or commercial invoice with breakdown of fees and other charges incurred;
- c) Export Certificate;
- d) Car carrier's invoice to the sea port (inland freight);
- e) Binding / vaning charges invoice.
- f) Import Permit

6.1.3.2 Provide these as original documents when called upon to do so.

### **6.2 Clearance of Motor vehicles imported by Road:**

6.2.1 The declarant will lodge an IM 8 declaration at the port of entry through which the vehicle entered the country:

- a) Within 2 days of entry the importer is expected to report arrival at MRO, where the transit note will be validated and a manifest will be generated. The generated manifest will be used by declarant to lodge a warehouse declaration.
- b) The declarant will lodge an IM7 declaration using the generated manifest and attach all supporting documents .

## **7. Procedure for clearing Motor Vehicles Imported from SACU Countries**

### **7.1 New Vehicles:**

The declarant will lodge an IM4 declaration; the office of entry should be cited as the border through which the vehicle will be imported into Eswatini. An invoice issued by the supplier must be attached to the declaration.

### **7.2 Used Vehicles:**

The declarant will lodge an IM4 declaration as per 7.1 with the following supporting documents:

- a) Invoice
- b) Vehicle Registration Certificate (equivalent to blue book for Eswatini)

## **8. Application for and Issuance of the Customs Clearance Certificate:**

The declarant shall submit a CCC application form with an endorsed exit note to the inland offices, Customs Back Office at the Mbabane Corporate Place and Manzini Regional Office (MRO) with the following supporting documents:

- a) Endorsed exit note
- b) An IM4 declaration
- c) Original invoice
- d) Manufacturer's certificate (where CCC application is for a new motor vehicle)

- 9.** For further information, please contact our Contact Centre by emailing to [info@sra.org.sz](mailto:info@sra.org.sz) or calling 2406 4050.