

Customs overhaul puts trade facilitation on the map

Deadline for comments on new legislation draws closer

BY Liesl Venter

As the deadline for commenting on the newly rewritten Customs legislation draws nearer, more and more role-players are welcoming the overhaul that most agree has been long overdue.

“We have been involved with the South African Revenue Service and the rewriting of the Customs legislation for more than two years and our input has always been very well

received,” says Gavin Kelly, spokesman for the Road Freight Association (RFA).

The rewrite of the Customs and Excise Act of 1964 is aimed at bringing South Africa’s customs and excise laws into international alignment, while striking a better balance between trade and economic growth and ensuring economic, community and border safety.

According to Barney Curtis, executive director of the Federation of East

and Southern African Road Transport Associations (Fesarta), this is of utmost importance. “Sars is being very proactive with its legislation, but its focus has been more on efficiency and control of its own systems, rather than trade facilitation. We hope that with continued lobbying from the private sector, trade facilitation will become a Sars priority.”

With the creation of two new Bills – the Customs Control Bill and the Customs

Duty Bill – Sars is actively modernising legislation, allowing for it to keep tread with the international trade environment which has moved far from the era when customs was about controlling trade rather than facilitating it.

Work on the new legislation started already in 2005 and finally went out for public comment in October last year. “The deadline for public comment is 26 February,” says Kelly. “We have had very

good support from Sars on the comments we have made in an attempt to rectify/improve what they control and are responsible for.”

Once the commentary process is over the new Bill will be tabled in Parliament before being promulgated. The entire process is, however, expected to take at least another year.

“Good legislation will make a huge difference if the right processes are in place,” says Kelly.