

# ORTIA CBCU GENERAL COMMUNICATION

26 October 2018

ORTIA CBCU (Customs Border Control Unit) is a multifaceted Customs team based at the OR Tambo International airport.

The CBCU mandate includes:

- The border protection of the Port of Entry OR Tambo Airport
- Facilitation of acceptable commercial trade
- Controlling and monitoring the movement of Prohibited and restricted goods.
- Seizure and the removal of undeclared / prohibited cargo, courier parcels & personal goods

An importer using a registered Customs Clearing agent will pass an entry for formal clearance on SSM (SARS Service Manager). SSM will either issue a notification of EDI release or Customs Detention. In either scenario, the air cargo is subject to the manual detention procedure as enforced by the ORTIA CBCU team.

Potential cargo movement scenarios:

- EDI release only
- EDI release & CBCU detention
- EDI detention & CBCU detention

The sensitive information below provides a high-level guideline that outlines the SARS CBCU procedural & governance cargo detention requirements and related matters

## PRIVATES / PERSONAL GOODS / RETURNING RESIDENTS

1. The Airline notifies the owner of the goods arrival
2. The owner of the goods collects the original Master Air Waybill (MAWB) from the Airline cargo shed where the cargo shed can provide further information
3. The owner of the goods needs to establish if they qualify for the Customs rebate.
  - Customs Officials at the Customs Front Desk (Counter 6 / 7, 1st Floor, New Agents Building) can be consulted
  - The owner of the goods has the option to appoint a Customs Clearing Agent of their choice to process the Customs declaration
  - Clearing Agent service fees will apply
  - **Customs VAT and Duties can apply**
  - The Agent will guide the owner of the goods on the Customs procedures
  - The Customs release is presented to the Cargo shed to collect the goods
4. If the owner of the goods establishes that no Customs duties applies:

- The owner of the goods can visit the Branch Front End (1st Floor, New Agents Building) Front Desk (Counter 6 / 7)
  - No cash payments are required at the Customs Office
  - DA304 (household goods clearance) or DA306 (goods valued <R500.00)
  - Inspections bookings may be required for the Customs physical inspection of the goods (No charges for the Inspection apply)
  - A Inspection booking register is available
  - Three inspections weekday slots are available:
    - 10h00 till 11h00 / 13h00 till 14h00 / 15h00 till 15h30
    - Saturday & Sunday – 10h00 to 11h00
  - The owner of the goods is required to accompany the Customs Inspector to the Cargo shed where their goods are stored.
  - All Customs physical inspections are performed under the CCTV coverage in a Customs Control Area.
  - Customs can review the Cargo Shed CCTV footage.
  - Legal steps will be taken on suspicious corrupt activities
  - After the physical examination, Customs can decide whether a formal clearance is required and if so, the goods owner needs to engage with a Clearing Agent of their choice
  - If no formal clearance is required, the owner and the Customs Inspector will return to the Branch Front End to be issued with a DA74 (Stamped Customs release)
  - The owner will present this DA74 to the Cargo Shed to collect their goods
5. Queries and/or escalations to be addressed to the Operations Manager on duty or alternatively, please follow the escalation process below.
- 1st escalation to Cecil Kordom (Operations Manager) [cdgkordom@sars.gov.za](mailto:cdgkordom@sars.gov.za) (082 781 8847) – 2 working days to respond.
  - 2nd escalation to Dikeledi Mabona (Compliance Manager) [dmabona@sars.gov.za](mailto:dmabona@sars.gov.za) (083 555 4540) – 2 working days to respond.

## **CBCU CARGO**

1. CBCU cargo inspectors visit the cargo sheds and review the manifests and exam and risk assess the available cargo and courier.
2. If a risk is suspected, the CBCU cargo inspectors will issue detention notices to cargo that are accessible at the Cargo Sheds
3. These detentions might have already been cleared by the SARS SSM system (EDI) but the CBCU manual detention will apply
4. The CBCU Cargo team is responsible for physical cargo activities such as
  - primary physical inspection,
  - full count,
  - Sample extraction
  - Re-inspection
5. These cargo related activities will be managed between the Agent and the Cargo Team using the Cargo group email

6. Team Group email: ortiacargo@sars.gov.za
7. Escalations:
  - Contact: Julia Ntjana
  - Email: JNtjana@sars.gov.za
  - Landline: 011 571 5150

## **CASE MANAGEMENT & TRACKING (CMT)**

1. The CBCU Cargo inspector will issue a detention notice on suspicious cargo at the Cargo Shed
2. The Cargo Shed will notify the consignee / agent of the CBCU cargo detention
3. A cargo physical exam will be performed on the detained cargo.
4. The case will be handed over to CMT for finalisation
5. CMT awaits the correspondence

### **TURNAROUND TIMES (TAT)**

- **Please NOTE:** the CMT TAT will start when **BOTH** the clearing documents from the Clearing Agent **and** the exam report from the Cargo inspector have been received.
- Any emails lacking the necessary case supporting documents or the non-compliance of the email subject line guidelines will be rejected and this will negatively impact the TAT.
- It is in the Client's best interest to submit all the compulsory documents and non-compulsory ("further documents") available at the 1<sup>st</sup> submission of the documents.
- Case TAT (excluding weekends & public holidays)
  - Email response within +-24 hours
  - Case finalisation within +-3 working days after the receipt of the requested supporting documents

### **SUPPORTING DOCUMENTS**

- To assist the CMT team in releasing the detained cargo, please submit the applicable clearance documents using a document checklist for ease of reference
- Penalties can apply when the submission of documents is delayed.
- Detained cargo will be seized if no proof of clearance is received within 90 days of the CBCU detention date.
- Mandatory documents required at 1st submission to the group mail:
  - SAD500/DA306
  - EDI Release notification
  - Invoices

- Clearing Instructions – Also used to authenticate the Importer’s permission granted to Clearing Agent to deal with the case on his/her behalf.
- Freight Statement - if Freight appears on the Invoice
- Customs worksheet
- Packing list
- Air way bill – Master air waybill and House air way bill
- Permits – ITAC, NRCS LOA

## **FURTHER DOCUMENTS**

- Proof of payment to supplier – most commonly requested in addition to compulsory documents – include with the first submission if available
- Literature or any further explanations may be requested regarding the tariff heading and the value of the goods imported in establishing the true value of the goods
- Supplier’s Price list
- Purchase order
- Previous shipments declaration & supporting documents
- Supplier’s agreements & warranties
- Original power of attorney
- Other documents to assist the Case office in the desk audit.

**Please note** that the non-submission of clearing documents is viewed as non-compliance within the provisions of the Customs Act and applicable penalties will apply. The consequent delays in the cargo release will result in Cargo Shed storage fees and removal to the State Warehouse.

## **GUIDELINES FOR THE COMMUNICATION TOOL - GROUP EMAIL**

- An official SARS email **ORTIACMT@sars.gov.za** is available for all external SARS correspondence.
- The email size is restricted to 5mb. Please indicate if multiple related emails are used.
- Emails of which the documents are too large, may be split in to e.g. MAWB: 12345678910 Part 1 of 2 New; & MAWB: 12345678910 Part 2 of 2 New
- The document attachment format must be in PDF
- Use a single email for each case – MAWB as reference with type of email
- Use the same forwarded email for historical reference and audit.
- **Always forward** (never “Reply”) emails to ensure the previous communication remains as well as the attachments.
- **Email Rejection:**
  - Non-compliance of the email guidelines that was designed to assist both CMT & Clients for tracking of cases and expediting the movement of the cases to the applicable pool.

- **Urgent requests** must be well motivated and subject to Customs discretion:
  - Medicaments (for urgent life-saving)
  - Medical equipment (Urgently required for Hospital)
  - Perishables (fresh food)
  - High Valuables (Sim cards & other extremely valuable cargo for removal to a secure area)
  - **Note:** Supplements may not be considered as a priority.
  - Written proof from the importer.
- Multiple email recipients – **only to be addressed to the Group email.**
- CMT will only communicate with the Customs Clearing Agents that was appointed by the Importer
- A CMT Technical Reviewer can request to communicate with the Importer
- Importers & other parties to follow the same guidelines of the group mail tool to avoid rejection of their emails if they were invited to communicate.

### **THE EMAIL SUBJECT LINE**

- Combination of the MAWB/HAWB and the email type, note that the AWB number should stand on its own for purpose of tracking, Leave a space between the abbreviation MAWB and the number – no dashes or spaces within the number) e.g. MAWB 12345678910 New case

### **ESCALATIONS**

- Escalations are allowed when the TATs were not complied with by the CMT team
- Contact number: 011 571 5034
- 1st escalation to Linda du Toit Operations Manager CMT – ltoit@sars.gov.za  
2 working days to respond.
- 2nd escalation to Calvin Pitts Compliance Manage – cpitts@sars.gov.za  
2 working days to respond.