



**Revenue
Services**
Lesotho

**GUIDE ON CUSTOMS
CLEARANCE
PROCESSES**

“Rea Aha”

1. What is import VAT?

The tax paid or payable in respect of a taxable import of goods or services into Lesotho

2. Who has to pay import VAT?

Import VAT can be paid by private shoppers and traders importing goods into Lesotho

3. Methods of payment for import VAT?

3.1 Valid tax invoice

3.2 Deferred payment

3.3 Cash payment

3.3.1 Cash not exceeding M20,000

3.3.2 Electronic Funds Transfer-EFT (must have the declaration reference number);

3.3.3 Point of sale (pos / speed point)

4. What is a tax invoice?

VAT invoice is an invoice issued by a registered dealer / vendor to the purchaser, showing the amount of Tax payable on the supply.

5. What are the characteristics of a valid tax invoice?

- It has to be from a VAT registered South African Vendor; i.e. bears a South African VAT Registration number which has 10 digits starting with 4 only
- An original not a copy or scan
- Bears the words "Tax/VAT Invoice"
- Has a unique Invoice Number
- Bears the Tax Invoice Date
- Valid for 90 days from the date of purchase to the import date
- Indicates standard rate of VAT charged at 15% or the VAT amount equivalent to 15% when calculated.

6. What are the requirements for using valid tax invoice for payment of import VAT?

- 6.1 Valid Tax Invoice, showing the addresses of both the supplier and the purchaser
- 6.2 Exporter Code
- 6.3 Proof of Payment
- 6.4 Additional required documentation necessary for claiming VAT Refunds
 - 6.4.1 Copy of qualified purchaser's passport showing travel, a qualified purchaser is an importer in possession of Lesotho passport or a foreigner that has work permit or residential permit in Lesotho,
 - 6.4.2 Valid Tax Invoice (endorsed by SARS)
 - 6.4.3 Proof of Payment for goods value exceeding M10 000.00
 - 6.4.4 Customs official release documentation (SAD500, TRD1, CN2) for declarations made in the system
 - 6.4.5 Valid traders license (Traders)
 - 6.4.6 Valid tax clearance (Traders)
 - 6.4.7 Lesotho registration certificate e.g. Motor Vehicle registration certificate
 - 6.4.8 Proof of Payment of import VAT e.g. cash receipt of import VAT on registrable goods
 - 6.4.9 Letter of authorization whereby someone collect goods on behalf of the importer

7. Use of Exporters/importers code

7.1 Did you know?

South African Revenue Service (SARS) has implemented a regulation that requires Lesotho importers to register with SARS in order for them to access clearance services.

7.2 Did you know?

Absence of SARS Importer / Exporter Code on commercial goods renders Tax inclusive Invoice, as a method of payment for VAT on imported goods at the border, invalid.

7.3 Did you know?

Individual importers who bought house hold goods from South Africa need not register for exporters code in order to use their valid tax invoices to pay import VAT.

All they need is to submit their valid tax invoices to SARS Customs officer to obtain Proof of export through stamp before they can proceed to Lesotho with their goods.

8. Who has access to Customs Services

Only South African entities, duly registered as Taxpayers may directly access the customs services or foreign entities who have registered with SARS.

9. What can Lesotho traders do to access customs services

SARS encourages all other foreign entities to appoint / nominate the registered entities to represent them in accessing SARS services including import and export or they can apply to be registered as Agents too.

10. Who can apply to be a registered agent

Any South African individual or registered company may make application to become a 'registered exporter agent' to act on behalf of a "foreign principal", who in this case would be an importer or exporter from Lesotho. This requirement mostly applies to Lesotho traders.

11. Treatment of Private Shoppers goods carried by the traveler upon importation

All household items irrespective of the value which are carried by a private shopper upon importation do not require declaration through the system and are generally processed over the counter by obtaining the manual date stamp.

This practice is not applicable on registrable goods (refer to guide on SARS additional requirements for importing registrable goods into Lesotho from RSA available on RSL website: <http://www.rsl.org.ls> – Other-Guides.

12. Treatment of Private Shoppers goods transported through the courier

All household goods ferried by the courier upon importation should be declared through the formal commercial route, thus the requirement for an exporters' code.

Note:

It is important to note that a 'registered agent' is not the same as the current licensed 'clearing agent' but a licensed clearing agent may also become a 'registered agent' upon approval of the applications at SARS.

13. What happens when goods are imported without the exporters' code?

All traders and individuals not registered will face complications in exporting goods from South Africa into Lesotho. This is especially the case where such export will be an indirect export (meaning tax will have been paid in South Africa). In such

instances, valid tax invoice will no longer be accepted by RSL as a form of payment for VAT due because, it applies that, an incorrect export procedure would have been used and therefore VAT payment will become due and payable immediately at the Lesotho border before goods could be imported into the country. It is therefore advisable for members of the public to sort their registration matters prior to importation.

14. What should traders do if they don't have importer/exporter code?

Lesotho importers who have not registered with SARS and do not have Importer / Exporter Code to opt for direct export / import approach whereby the goods are delivered to the country of destination (Lesotho) by the seller and the VAT is paid directly to RSL by the importer upon importation.

11. The procedure to register with SARS is as follows:

- a) Obtain form DA 185 and DA 185D from SARS at the following border posts (Maseru Bridge, Maputsoe Bridge, Caledonspoort, Van Rooyen's Gate and Qacha's Nek Gate);
- b) Agree with a South African entity (registered) to act as your Registered Agent (The registered agent must accept the nomination made by the foreign principal and indicating which functions "importer, exporter" are to be fulfilled on behalf of the foreign principal);
- c) Complete the forms DA 185 and DA 185D;
- d) If security is required, also complete DA185.C
- e) Submit the completed forms to SARS offices and wait for the response;
- f) The registration validity period is indefinite and no cost required;
- g) The turnaround time for application processing is approximately 10 working days

For more information please contact us on 52215191; 52215902/3 and 52215840/1

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