

**INTERNATIONAL TRADE ADMINISTRATION
COMMISSION OF SOUTH AFRICA**

DATE: 1st JANUARY 2016

**DECLARATION OF IMPORTED COMPONENT VALUES
(FORM C1)**

DECLARATION OF IMPORTED COMPONENT VALUES (Form C1)

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ACRONYMS

APDP	= Automotive Production and Development Programme
Component manufacturer	= Includes a component supplier
ITAC	= International Trade Administration Commission
OEM	= Vehicle manufacturer
SARS	= South African Revenue Service

CALCULATION OF IMPORTED COMPONENT VALUES

GUIDELINES, RULES AND CONDITIONS TO DETERMINE AND DECLARE IMPORTED COMPONENT VALUES

1. BACKGROUND

- 1.1 Form C1 was previously known as a DA 190 and other than the name change the purpose, role, calculation of imported component values, etc., remain the same.
- 1.2 This document should be read in conjunction with the APDP regulations and applicable SARS legislation.
- 1.3 The right is reserved to amend any guideline/rule/condition pertaining to this programme or to impose new guidelines/rules/conditions if deemed necessary.

2. PURPOSE OF FORM C1

Motor vehicle manufacturers must pay customs duty on a quarterly basis on the imported component value of components used in the manufacture of specified motor vehicles and automotive components. In addition to the imported component content contained in their own imports, the imported component content in domestic purchases must also be brought to account. Local suppliers/manufacturers of components declare the imported component value content of their goods by way of Form C1. Form C1 must be obtained for all domestic purchases of components used in the manufacture of specified motor vehicles and automotive components.

3. ROLE OF ITAC

ITAC shall determine the method and basis of calculation, and method and conditions regarding the verification, of imported component values.

4. PENAL CLAUSES

- 4.1 In terms of note 5.3(c) to rebate item 317.03:

If Form C1 is not obtained or duly completed, the price at which the components were purchased by the registrant shall be deemed to be the imported component value in respect of the original equipment components.

5. IMPORTED COMPONENT VALUES

- 5.1 Imported component values, as certified on Form C1, is derived from the value for customs duty purposes of imported items used in the manufacture and assembly of specified motor vehicles and the manufacture of motor vehicle components. The reason why customs values are used is that it is the value placed on imported goods by SARS and is used in the calculation of duties payable and refund of duties. The value for customs duty purposes appears on the import documents and it is important for importers to ensure that their declarations comply with customs regulations.

5.2 In terms of note 1 to the Regulations:

"Imported component values" means the value for customs duty purposes of any imported components imported by or received from any person in SACU and used in the manufacture or assembly of automotive components and specified motor vehicles.

5.3 Imported component values are declared on a Form C1, see attached Annexure C1 for an example and an explanation on the information needed.

6. **CALCULATION OF IMPORTED COMPONENT VALUES**

6.1 Care should be taken to ensure that all imported component values applicable to components used in the production process are brought to account. If uncertainty should exist on whether a product is a component or a material, ITAC should be contacted for a ruling.

6.2 In the case where a limited number of different component types are imported, the imported component values may be based on the weighted average value for customs duty purposes per unit of each component imported for the manufacture of the goods used in the manufacturing of vehicles. The calculation will be per unit and the Customs documentation referred to will be that of the previous quarter.

Find attached Annexure C2 illustrating calculation procedures.

6.3 In the case where a large number of different components types are imported, the imported component values may be based on a "weighted average rate of exchange" based on customs values of the previous quarter. The exchange rate calculated may be applied to the selling prices as per the foreign invoice to determine imported component values. Care should be taken to ensure that there is a correlation between invoice values used to determine imported component values and values used to determine customs values.

The above calculation is based on the assumption that unit values will remain the same over a period and that different purchase prices are due to the fluctuation in the exchange rate. If the invoice price of the component should increase/decrease during a quarter the manufacturer must revert to the method of calculation explained in 6.2

Find attached Annexure C3 illustrating calculation procedures.

6.4 Manufacturers may, if allowed by accounting and administration systems, bring the actual value for customs duty purposes of imported components, into account when calculating imported component values.

The users of the above system should note that components referred to must have a unique identification number.

6.5 It should be noted that in ascertaining the transaction value of any imported goods in terms of Section 66(1) of the Customs and Excise Act, the Commissioner: South African Revenue Service (SARS) takes account of royalties and licence fees as provided in Section 67(1)(c) of the Act. It is, therefore, advisable that a ruling be

obtained from the Commissioner: SARS in all instances where royalties and licence fees are payable.

- 6.6 Where a component is supplied for the first time, it may be necessary to base the imported component values on imports/purchases during the same quarter.
- 6.7 Where no imports occur during a particular quarter or where the prices at which goods were imported are not representative of normal transaction values, the previous quarter's imported component values per unit will apply.
- 6.8 Consumables which are not identifiable as integral or visible parts of the end product, as well as petrol, distillate fuels, lubricating grease and prepared lubricating oils for engine, gearbox, steering case and drive-axle should be excluded from Imported component values.
- 6.9 Materials and goods in bulk, such as steel sheeting, adhesives and paint, and goods that require cutting to length or shape, such as carpet in rolls and electrical cable, are not considered to be automotive components.

Importers should take care not to classify imported goods as materials, for APDP purposes, and declare the same goods as components in order to qualify for a drawback of duty with SARS.

- 6.10 The calculation of Imported component values should be done on a formal basis and working papers in this regard must be kept in safe custody for a period of five years from the date of Form C1 and be available to officials of the ITAC upon request, for purposes of verification.
- 6.11 Imported component values on any loss associated with the production process must be taken in account when computing Form C1.

Example: If 100 m² bovine hide (customs value R10 per m²) needs to be imported to produce only 10 m² of leather suitable for the automotive industry, the imported component values per m² of leather will be R100. It should be noted that the imported component values per m² may be more if imported chemicals, paint pigments, etc. were used in the manufacturing/processing process.

- 6.12 It should be noted that, for Form C1 purposes, it is not necessary to take account of the values of opening and closing stocks when calculating imported component values.

7. SUBMISSION OF CERTIFICATES

- 7.1 Form C1 that will be used to declare the imported component values on components, supplied to participants in the automotive industry is shown in Annexure C1.

Reproduction of Form C1 is allowed. Changes or additions to the content, except in the case of optional data, are not allowed. It should be noted that the certificate must be completed in full and that failing to do so may render the certificate invalid.

- 7.2 Values must be entered in Rand and should not be expressed as a percentage or as a foreign currency.
- 7.3 Motor vehicle manufacturers, component manufacturers and component suppliers to the motor vehicle industry must obtain a certificate in respect of each type of component received during a quarter, i.e. the quarters ending 31 March, 30 June, 30 September and 31 December. Aforesaid will also apply in the case of a domestically manufactured component with no imported component values whatsoever.

It should be noted that any incorrect information supplied on Form C1 can render the whole document null and void and may result in the purchase price of all items being regarded as imported component values.

- 7.4 The Imported component values shown on Form C1 for, say January to March deliveries, will be based on component manufacturers' or component suppliers' own imports during the previous quarter (October to December). The effective date of the Form C1 issued by the component manufacturer or component supplier will read 01/01/20.... to 31/03/20.... .

In addition, the above component manufacturers or component suppliers will require Form C1s from their suppliers for components delivered during the quarter October to December. The imported component values of these latter deliveries will be based on imports (or local purchases) during the quarter July to September.

The above is also referred to as the quarterly lag principle and is more fully illustrated in Annexure C4.

- 7.5 The forms in question, together with the underlying documents, books of account plus production records substantiating the certificates, must be kept in safe custody by motor vehicle manufacturers, component manufacturers/suppliers for at least five years and be available to officials of ITAC upon request for purposes of verification.

Should a manufacturer not make all relevant documentation available on request within a period of 30 days, the ITAC shall treat the imported component values on products as to be equal to the selling price thereof.

- 7.6 It is imperative that every supplier of motor vehicle components furnish their customers with the required forms so that they, in turn, can furnish their customers up the line with the correct information. Forms must be completed in full and must be numbered by the issuing party.
- 7.7 Form C1s for a specific quarter must be available to users thereof within 14 days of the beginning of said quarter. For example C1s with an effective period of 01/01/2013 to 31/03/2013, applicable to January to March 2013 deliveries, must be made available to the users thereof on or before 14/01/2013. As the above Form C1s will be based the component manufacturers' or component suppliers' own imports as well as local purchases during the quarter October to December 2012, the certificates in question can be made available as early as 01/01/2013.

8. **THE ROLE OF THE AUDITOR**

- 8.1 The system that first tier component suppliers use to calculate Imported component values as well as the actual calculations, and preparation of the forms, must be audited once a year by a practising accountant and auditor, registered in terms of Sections 37 and 38 of the Auditing Profession Act, 2005 (Act 26 of 2005), as part of the normal audit procedure. This expense is for the cost of the component manufacturer/supplier issuing Form C1.

The assurance report must state that the system complies with the information document. A report must be kept at the offices of the component manufacturer/supplier and a copy thereof must be provided on request to the ITAC or SARS.

If a component manufacturer, on request by the ITAC or SARS, does not render an assurance report, covering any 12 month period up to 30 March each year, by 30 June of that year, the foreign currency usage in respect of all goods supplied during the period which the report covers, whether supplied for home consumption or export, may be deemed to be the price at which such goods were sold, subject to the above.

- 8.2 The assurance report must state that the system to calculate imported component values complies with the information document. A report must be kept at the offices of the component manufacturer/supplier and a copy thereof must be provided on request to the ITAC.

If a component manufacturer/supplier, on request by the ITAC, does not render an assurance report, covering any 12 month period up to 30 March each year, by 30 June of that year, the Imported component values in respect of all goods supplied during the period which the report covers may be deemed to be the price at which such goods were sold, subject to the above.

- 8.3 Should the external auditors issue a qualified report, the component manufacturer must notify ITAC in writing of their findings within 30 days after the date of the audit report. Registered letters should be addressed to, or attention: Senior Manager: Tariff Investigations II:

International Trade Administration Commission of South Africa
Private Bag X753
PRETORIA,
0001

Should the component manufacturer fail to submit the auditors' qualified report to ITAC, within the period stipulated above, the imported component values in respect of all goods supplied during the period which the report covers, whether supplied for home consumption or export, may be deemed to be the price at which such goods were sold.

Needless to say, SARS will have to recover in part or in total, as the case may be, all benefits derived from erroneous Form C1 information.

- 8.4 ITAC may also instruct second and third tier component manufacturers to comply with the above.

Attached find Annexure C5 for an example of an assurance report.

- 8.5 It is important to note that should goods be deemed to contain a 100% foreign content, all benefits utilised by OEMs or other component manufacturers will have to be recovered by the SARS.

9. **CONCLUSION**

As in the past, the co-operation of all concerned is vital to ensure that the correct information is submitted to SARS by the motor vehicle manufacturers in their quarterly returns and that the correct imported component values is declared. ITAC, in order to fulfil its task as set out above, will verify imported component values, starting from the OEM and proceeding from there to the component manufacturer and right down the line to where the component or its parts had their origin.

	Form C1
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DECLARATION CERTIFICATE OF IMPORTED COMPONENT VALUES IN RERESPECT OF COMPONENTS IN TERMS OF THE NOTES TO THE ITAC REGULATIONS

FORM NO: _____ **1** _____ EFFECTIVE FROM : **2** TO : **2**
 REPLACES FORM NO: _____ **3** _____ EFFECTIVE FROM : **4** TO: **4**

TOTAL NUMBER OF LINES: _____ **5** _____

LINE NO	COMPONENT OR PART NO	DESCRIPTION	UNIT OF MEASUREMENT	UNIT PRICE	IMPORTED COMPONENT VALUE - R
6	7	8	9	10	11

NAME OF COMPONENT MANUFACTURER/SUPPLIER: _____ **12** _____

ADDRESS: _____ **13** _____

 _____ :

IMPORTER'S CUSTOMS CODE NUMBER: _____ **14** _____

TELEPHONE NO: _____ **15** _____ FAX NO: _____ **16** _____ E-MAIL ADDRESS: _____ **17** _____

CONTACT PERSON: _____ **18** _____

I _____ **19** _____ IN MY CAPACITY AS _____ **20** _____ OF _____ **21** _____
 _____ **21** _____ HEREBY DECLARE THAT THE IMPORTED COMPONENT VALUES OF THE GOODS DESCRIBED HEREIN IS TRUE AND CORRECT AND COMPLIES WITH THE PROVISIONS OF ITAC REGULATIONS.

SIGNED: _____ **22** _____ DATE _____ **23** _____

OPTIONAL DATA: _____ **24** _____

NOTE: ALL SECTIONS OF THIS DOCUMENT MUST BE COMPLETED IN FULL

(This document must be printed in black ink on white paper and the dimensions thereof must be 297mm x 210mm)

CONTINUATION SHEET: Form C1

Form C1 NO: 25 EFFECTIVE DATE: 26

NAME OF COMPONENT MANUFACTURER/SUPPLIER
SUPPLIER: 27

LINE NO	COMPONENT OR PART NO	DESCRIPTION	UNIT OF MEASUREMENT	UNIT PRICE	IMPORTED COMPONENT VALUE - R
28	29	30	31	32	33

SIGNATURE: 34 DESIGNATION: 35 DATE: 36

1. Form no, the participant issuing the certificate must insert his own unique number.
2. Effective date, the date from which the certificate will be effective.
- 3&4 The number and effective date of the Form C1 to be replaced.
5. If the particular Form C1 was issued for one component only the number 1. must be entered, if the Form C1 covers more than one item the number of the last item on the continuation sheet must be entered.
6. Indicating the number of items - starting at 1, continuing on the continuation sheet.
7. Component or part number.
8. Description.
9. Unit or measurement should be the same as that reflected on the invoice.
10. Unit price, the latest selling price prior to the effective date.
11. Imported component value.
- 12&13 Name and address of material/component manufacturer
14. Importer's custom code number.
- 15,16&17 Name and details of contact person.
- 18,19&20 Fax number of contact person.
- 21,22&23 Name and designation of the company official taking responsibility for the preparation of the form of the certificate.
24. Optional data, if necessary.
- 25&26 See 1&2.
27. See 12.
- 28 to 33 See 6 to11.
- 35 to 36 See 22&23.

CALCULATION OF IMPORTED COMPONENT VALUES ON COMPONENTS USED IN THE MANUFACTURING PROCESS OF VEHICLES WHERE A LIMITED NUMBER OF COMPONENTS WERE IMPORTED

1. The example represents numbers and values applicable to a specific product type, the same calculation will be carried out for other product types imported.

DATE	NUMBER OF UNITS	CUSTOMS VALUE PER IMPORT DOCUMENTATION
01 JAN	100	R 1 000
17 JAN	200	R 2 500
11 FEB	150	R 1 875
21 FEB	250	R 3 125
07 MARCH	125	R 2 500
25 MARCH	175	R 2 500
TOTAL	1 000	R13 500

Weighted average customs value = Total customs value / Total number of units

$$= R13\ 500 / 1\ 000$$

$$= R13.50 \text{ per unit}$$

2. Same example as above but an additional 500 units of the same product were sourced from a local supplier. According to the Form C1 received from the local supplier the imported component values applicable to the product is R1 per unit.

Imported component value in local units (500 x R1.000)	= R 500
Imported component value in imported units, as above	= <u>R13 500</u>
TOTAL	= R14 000

Weighted average customs value = Total customs value / Total number of units

$$= R14\ 000 / 1\ 500$$

$$= R9.333 \text{ per unit}$$

CALCULATION OF IMPORTED COMPONENT VALUES ON COMPONENTS USED IN THE MANUFACTURING PROCESS OF VEHICLES WHERE A LARGE NUMBER OF DIFFERENT COMPONENT TYPE WERE IMPORTED

1. The example represents the total value of all products imported during a specific quarter, values as per import documentation.

Total US\$ value of goods imported	US\$ 1 000 000
Total customs value of goods imported	ZAR6 879 123

Weighted average customs value = Total US\$ / Total ZAR
 = 1 000 000 / 6 879 123
 = 0.145367

If a 1 000 of a specific product was imported for US\$10 000 the Imported component values per component will be ((US\$10 000 / 1 000) / 0.145367) R68.791.

2. Same example as above but an additional 500 units of the same product was sourced from a local supplier. According to the Form C1 received from the local supplier the imported component values applicable to the product is R1 per unit.

Imported component value in local units (500 x R1.000)	= R
500	
Imported component value in imported units (US\$10 000 / 0.145367)	= <u>R68</u>
<u>791</u>	
TOTAL VALUE	= R69
291	

Weighted average customs value = Total customs value / Total number of units

= R69 291 / 1 500
 = R46.194 per unit

ANNEXURE C.4

THE QUARTERLY LAG PRINCIPLE

Manufacturing/supply line: Company A - Final manufacturer, buys all production inputs from company B;

Company B - Sells all goods to company A, buys all production inputs from company C;

Company C - Sells all goods to company B, buys all production inputs from company D;

Company D - Sells all goods to company C.

	Effective period of Form C1 = period in which goods were sold:	Imported component values calculation based on production inputs during the period:	“Local Imported component values”, calculated by multiplying units purchased by Imported component values per unit as indicated on Form C1 supplied by seller with an effective period of:	Imported component values on own imports, as per Customs documentation, for the period:
Company A	01/01/2013 to 31/03/2013	01/10/2012 to 31/12/2012	01/10/2012 to 31/12/2012	01/10/2012 to 31/12/2012
Company B	01/10/2012 to 31/12/2012	01/07/2012 to 30/09/2012	01/07/2012 to 30/09/2012	01/07/2012 to 30/09/2012
Company C	01/07/2012 to 30/09/2012	01/04/2012 to 30/06/2012	01/04/2012 to 30/06/2012	01/04/2012 to 30/06/2012
Company D	01/04/2012 to 30/06/2012	01/01/2012 to 31/03/2012	01/01/2012 to 31/03/2012	01/01/2012 to 31/03/2012

**Imported Component Values (Form C1) Illustrative Reasonable Assurance
Report**

Assurance provider's/auditor's letterhead

The Board of Directors/Members
[Company/close corporation name]
[Address]

Our Ref:

[Date]

Dear Sirs

**INDEPENDENT ASSURANCE PROVIDER'S REPORT¹ ON THE DECLARATION
OF IMPORTED COMPONENT VALUES (FORM C1)**

We have undertaken a reasonable assurance engagement of the Declaration of Imported Component Values (Form/s C1) (the C1 Form/s), issued by <insert company/close corporation name> (the Company/Close Corporation), for the year/period ended <insert date>.

The Directors'/Members' Responsibility for the C1 Form/s

The directors/members are responsible for the preparation of the C1 Form/s in accordance with the requirements of Part E of the Automotive Production and Development Programme (APDP) Regulations (the Regulations) and the *Declaration of Imported Component Values (Info Doc C/<insert latest available version>)* (the Guidelines) issued by the International Trade Administration Commission of South Africa (ITAC). This responsibility includes the design, implementation and maintenance of internal control relevant to the preparation of the Form/s that is/are free from material misstatement, whether due to fraud or error.

Our Independence and Quality Control

We have complied with the Code of Professional Conduct for Registered Auditors issued by the Independent Regulatory Board for Auditors, which includes independence and other requirements founded on fundamental principles of integrity, objectivity, professional competence and due care, confidentiality and professional behaviour.

¹ When the registered auditor is the auditor of the entity the heading may read 'Independent auditor's report on ...' instead of 'Independent assurance provider's report'.

In accordance with International Standard on Quality Control (ISQC) 1, *Quality Control for Firms that Perform Audits and Reviews of Financial Statements, and Other Assurance and Related Services Engagements*, we maintain a comprehensive system of quality control including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

Our Responsibility

Our responsibility is to express an opinion on the C1 Form/s based on the evidence we have obtained. We conducted our reasonable assurance engagement in accordance with the International Standard on Assurance Engagements 3000, *Assurance Engagements other than Audits or Reviews of Historical Financial Information* (ISAE 3000), issued by the International Auditing and Assurance Standards Board. That standard requires that we plan and perform this engagement to obtain reasonable assurance about whether the C1 Form/s is/are free from material misstatement.

A reasonable assurance engagement in accordance with ISAE 3000 involves performing procedures to obtain evidence about the amounts and disclosures in the Form/s. The nature, timing and extent of procedures selected depend on the assurance provider's judgment, including the assessment of the risks of material misstatement, whether due to fraud or error, in the Form/s. In making those risk assessments; we considered internal control relevant to the Company's/Close Corporation's preparation of the C1 Form/s.

Our reasonable assurance engagement also includes²:

- Enquiring of management, and where appropriate, those charged with governance regarding the entity's compliance with the requirements of the Regulations and the Guidelines.
- Obtaining and documenting an understanding of the entity's business activities and the processes and systems for preparing the C1 Form/s.
- Evaluating the design and testing the implementation and operating effectiveness of controls that are relevant, to ensure the proper preparation of the C1 Form/s.
- For a sample of items included in the C1 Form/s, agreeing the information to the entity's underlying accounting and production records, appropriate source documentation, and reperforming calculations, as appropriate.
- Obtaining appropriate written representations from management.

We believe that the evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Opinion

In our opinion, the C1 Form/s issued by <insert company/close corporation name> for the year/period ended <insert date> is/are prepared, in all material respects, in accordance with the requirements of the Regulations and the Guidelines.

² To be adapted as necessary. It is not intended that the procedures described are as detailed as in a work programme.

Restriction on Distribution and Use of this Report

Our report is intended only for the addressee and ITAC for the purpose indicated in the introductory paragraph and may not be suitable for another purpose. Consequently, our report and the C1 Form/s should not be distributed to or used by other parties.

Auditor's Signature

Name of individual registered auditor

Registered Auditor

Date of auditor's report

Auditor's address