

PUBLIC NOTICE

LICENSING OF CUSTOMS CLEARING AGENTS FOR 2010

Pursuant to section 145 of the EAC Customs Management Act as amended to date and regulation 149 and 150 of the EAC Customs Management Regulation;

The Commissioner for Customs Services invites applications from companies interested in operating as Customs Clearing Agencies for the year 2010.

A Completed application form shall be given to applicants after paying application fees **50\$**, of which Bank Payment Advice forms and application forms can be obtained from the Customs help desk at Gikondo

The following conditions and requirements shall apply to all applicants whether Private or Public clearing agencies.

1. **All applicants must submit the following:**
 - (i) Memorandum and articles of association of the company;
 - (ii) Certificate of registration of the company;
 - (iii) Tax Identification Numbers/Personal Identification Number of the company and the directors;
 - (iv) Current Tax clearance Certificate;
 - (v) Copies of identity cards, passports or other forms of identification of the directors and staff proposed to directly handle or sign Customs documents;
 - (vi) Recent passport size photographs of directors and staff duly certified by a Notary Public or a Commissioner for Oaths;
 - (vii) Proof of affiliation or membership to a recognized clearing and forwarding association;

- (viii) Valid tenancy agreement for suitable office accommodation or proof of ownership;

Note: - Minimum qualification should be at least:- A level certificate and the Company should have at least two employees in charge of clearance with a diploma or certificate in Customs training from a recognized institute or a minimum of five years experience in Customs operations.

- (ix) Curriculum vitae (C.V), for each employee;
- (x) A copy of the identity card or passport for the director and the declarants
- (xi) A Copy of a Judicial Police Statement for the staff and the directors.
- (xii) Management or staff proposed to directly handle customs related work must be computer literate with the ability to lodge declarations electronically.
- (xiii) Proof of possession of a bank account, an official post office box, a physical address, telephone, fax and email address.
- (xiv) Possession of a tax clearance certificate, for the agency and the shareholders
- (xv) Valid employment contract for directors and declarants and salary structure
- (xvi) A letter of recommendation from the former employer for a declarant changing to another clearing agency.

A valid Bank or Insurance guarantee of a minimum fee of 100,000,000 frw for transit operations and 50,000,000 frw for other customs operations or more, taking effect at the commencement of operations and ending 3 years after cessation of the activity, submitted upon communication from the Commissioner for Customs Services that the applicant is successful.

Pay a license fee of 400\$ upon communication from the Commissioner for Customs that the application is successful. Bank Payment advice forms will be obtained from the Customs collector at Gikondo.

Possession of computers with:

- Latest ant virus;
- Internet connectivity of 128 KB;

- Latest Operating System e.g. Microsoft Windows XP or VISTA;
- Scanning machine.

Only the following may be authorized to act as private customs clearing agencies:

- Industrial enterprises, for the imports and exports relating to the nature of business;
- Enterprises operating refrigerated or pharmaceutical warehouses;
- Companies engaged in the importation or exportation of perishable goods and companies dealing in courier services;
- Companies engaged in importation and exportation of vehicles.

The Customs department shall not license former Tax administration (RRA) officers who were dismissed. However, after duration of 2 years from the time of dismissal, officers that were dismissed for cases that did not involve tax malpractices may be authorized to operate as clearing agents.

Spouses of RRA officers shall not be authorized to operate as clearing agents.

Submission of application documents.

1. Application documents should be addressed to the Commissioner for Customs and submitted to the Head of Legal and Taxpayer Services at Gikondo, MAGERWA, and Office n^o 10 not later than, **5th October 2009 by 4.00 P.M.** Late applications will not be accepted while submission of incomplete applications will lead to disqualification.
2. Application documents should be fastened, bound in a spiral pamphlet with a translucent top cover. The Pamphlet should be placed in a sealed manila envelop clearly indicating therein the: Full Company's name and address, Contact person's names, telephone numbers and e-mail address.
3. Applications should present alongside their original a copy thereof, which will be endorsed as evidence of receipt of their application.

Two copies of application documents should be submitted.

The first application document for Customs purposes should fulfill the requirements highlighted in part (2) above. The second application document is a copy for the clearing agent that will be endorsed by Customs on receipt of the application.

Notice to Applicants

- (a) A public notice will be placed stating that all applicants should view a list of successful applicants, which will be posted at the public notice boards at all RRA departments.
- (b) Customs may refuse to issue a license, may suspend, revoke, or refuse to renew, any such license on the ground that the applicant or holder has been guilty of an offence under the Customs Management Act, or has been convicted of an offence involving dishonesty or fraud.
- (c) Unsuccessful applicants may seek review by the Commissioner of Customs within 30 days from the date of announcement
- (d) Only successful and licensed Customs Agents will be permitted to execute the duties of a Customs Agent with effect from **1st January 2010**.

The Customs department shall screen and issue badges to authorized clearing agents. Clearing Agents shall submit their 2009 badges at the time of issuance of 2010 badges.

The authorization of Customs agent shall be valid for one year, renewable on an annual basis on application and upon fulfillment of the requirements mentioned above.

Done in Kigali, on 3rd of September 2009

TORERO Eugene
Commissioner for Customs Services

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