

**To: Shipping lines
Clearing Agents
Container Depots/Terminals**
(Based in the Western Cape)

National Regulator for Compulsory Specifications
1 Dr. Lategan Road
Pretoria
0181

RE: NOTICE TO INDUSTRY REGARDING INSPECTIONS AND INFORMATION REQUIRED BY NRCS IN TERMS OF THE NRCS ACT 05 OF 2008.

The National Regulator for Compulsory Specifications (NRCS) is a Schedule 3A Public Entity under the jurisdiction of the Department of Trade and Industry, mandated to administer the NRCS Act, Act 5 of 2008.

In terms of this Act, the NRCS hereby issues a notice to industry to take note of sections 17 to 19 of the NRCS Act which defines the following:

- Powers of the inspector to enter, inspect, search and seize
- Identification prior to entry and co-operation with the inspectors
- Powers to question and do market surveillance inspections

1. In terms of the sections mentioned above (17 – 19), and to enable the NRCS to monitor and enforce compliance as per the provisions of the NRCS Act, the NRCS is permitted at any reasonable time and without prior notice to enter premises, other than a private dwelling in or upon which:

1.1 an article in respect of which there is a compulsory specification is:

1.1.1 manufactured or sold;

1.1.2 stored or used in the course of any business; or

1.1.3 stored for any purpose in connection with the import or export of the commodity or product;

1.2 any manufacture, sale, use or storage is reasonably suspected; or

1.3 any records with regard to the import, manufacture or sale of an article referred to in clauses 1.1 and 1.2 above are kept.

Head Office

SABS Campus 1 Dr Lategan Road Groenkloof Pretoria

✉ NRCS Private Bag X25, Brooklyn 0075

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2. Premises for the purposes of the NRCS Act, means any land or any building or structure, and includes any train, boat, ship, aircraft or other vehicle.
3. In addition, the NRCS has the authority in terms of Section 19(1) of the NRCS Act, to:
 - 3.1 at any time demand or request from any person that he or she **at a time and place fixed by the NRCS** to produce any book, notice, record, list or other documents which is in the possession or custody or under control of that person or any other person on his or her behalf;
 - 3.2 examine a book, notice, record, list or other document and make copies thereof or extracts therefrom or request that they be made; and
 - 3.3 require from a person in charge, an explanation of any record or entry therein, and seize such record if it may afford evidence of any offence in terms of the NRCS Act.
4. In order for the NRCS to effectively execute and enforce its mandate, the co-operation of all regulated industries and affected stakeholders will be crucial for NRCS to regulate health, safety, environmental protection and fair trade.
5. With respect to all Shipping lines, our regional office based in Kwazulu-Natal has embarked upon an exercise to conduct inspection of shipping manifests obtained directly from shipping lines. This will enable the NRCS to inspect regulated commodities and prevent the entry of non-compliant goods via the ports of entry. The exercise was aimed at developing a uniform approach that will eventually be rolled out in other regions and ports of entry.
6. This project has since concluded and will now be rolled out at the Cape Town Harbour. The NRCS Western Cape regional office will now require access to shipping manifests in efforts to prevent non-compliant goods from entering the market. This NRCS strategy is in alignment with the dti Industrial policy action plan (IPAP II).
7. To this end, **all operational shipping lines in the Western Cape** are required, in terms of the relevant sections highlighted in the NRCS Act, **to forward copies of all shipping manifests to the NRCS border control unit based in the Western Cape**. Manifests may be hand delivered/couriered for the attention of the NRCS border control unit or alternatively can be e-mailed to: IMPORTWC@nrcs.org.za. *(referencing the vessel and voyage number in the subject heading for e-mail correspondence)*
8. With reference to the delivery of hardcopy manifests in point 7 above, the **NRCS Border control unit** in the Western Cape occupies an office within the **“Cowrie Place - Port of Entry Control Centre”**, based in the Table Bay harbor.
9. The NRCS hereby wishes to advise that the effective date for the implementation of this notice and in particular the requirements in points 7-8 will come into effect as of Wednesday 23 July 2014, until further notice.

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10. In relation to the confidentiality of certain information including trade secrets, customer lists, marketing insights and strategies, pricing, profitability and special operating procedures which may be gathered by the NRCS during the course of carrying out its duties in terms of the NRCS Act, such information will be kept confidential by the NRCS in as far as is permitted by law (including in terms of section 32 of the NRCS Act). Information that is in the public domain or accessible to the public will not be considered to be confidential information.

11. Container detentions – Relevant documents that will be required before a container will be inspected and released:

- Bill of Entry
- SAD 500
- Commercial Invoice
- Packing list
- NRCS Approval documents eg. LOA (Where relevant)

12. Should any stakeholder require any further clarity on the requirements given in this letter, processes, or wish to verify the details/legitimacy of any inspector of the NRCS, Please feel free to contact any of the following individuals:

NRCS WESTERN CAPE - CONTACTS FOR IMPORT RELATED QUERIES		
Division	Contact Person	Office tel
Regional Office – General Manager	Mrs Meisie Katz KATZMN@nrcs.org.za	021 526 3401
Automotive	Mr Dewald Horn HORNND@nrcs.org.za Mr Theo Bekker BECKERTJ@nrcs.org.za	021 526 3400 / 3447 3453
Chemicals, Mechanical and Minerals	Mr Donovan Cicero CICEROD@nrcs.org.za	021 526 3400 / 3442
Electrotechnical	Ms Patsy Andrews ANDREWSP@nrcs.org.za	021 526 3400 / 3436
Foods & Associated Industries	Mr Andre De Wet DEWETAF@nrcs.org.za	021 526 3400 / 3401
Legal Metrology	Mr Ivan Willis willisic@nrcs.org.za	021 526 3400 / 3420

Yours Faithfully

Meisie Katz | Regional Manager |
NRCS | Western Cape

14 B Railway Road, Montague Gardens,
Cape Town, South Africa |
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