



# Tax Alert

## New customs rules for transfer pricing adjustments

28 January 2026

**SARS has published amendments to the Rules to the Customs and Excise Act, No 91 of 1964 ("the Act"), proposed to be effective from 27 February 2026 to incorporate transfer pricing adjustments into the Act.**

Under the draft amendments, a transfer pricing adjustment ("TP Adjustment") in relation to the customs value of goods means an adjustment to the price at which goods were imported into the Republic by a multinational enterprise from a related party. This amendment primarily affects importers within multinational groups that perform year-end TP adjustments which change the prices of imported goods.

SARS' proposed draft amendments seek to formalise, in the Act, a notification and submission process for TP Adjustments affecting the customs value. In doing so, SARS has detailed the steps a taxpayer is required to follow and the documents that must be provided to SARS when a TP Adjustment influences the customs value of imported goods.

The proposed draft amendments require that:

- Within a month of a TP adjustment being issued or received, a taxpayer must notify SARS by letter, either via email or at a SARS customs office; and
- The letter must state whether the TP adjustment is interim or final, and include the information specified in the draft amendments.





At the time the notification letter is submitted to SARS, the taxpayer must also provide the documentary information specified in the draft amendments, including the Customs Value Adjustment Calculation Spreadsheet, latest signed financial statements, transfer pricing policy, compensation calculations, the relevant invoice, debit or credit note, and any other documents specified by SARS.

The Customs Value Adjustment Calculation spreadsheet must be accompanied by a signed declaration that the information submitted is true and correct, and a letter of authorisation if a third party submits on behalf of a taxpayer.

Should the taxpayer not have all the required information at the time of submission, the draft amendments permit for an extension to be requested. However, they do not outline the acceptable circumstances for such request or the duration of any extension.

In addition to the documents above, SARS may issue further instructions that the taxpayer must comply with. These may include:

- A request for additional information;
- Payment of adjusted Duties and VAT within 14 days of the issuance of a CEB01 (Payment Reference Number issued to taxpayers to allow payment to SARS); and
- If a refund is accepted, the importer must submit Vouchers of Correction to claim the refund.

## Key takeaways

The intention of the draft proposals is to promote compliance in unambiguous terms and to set out clear obligations and timelines for notifying SARS and submitting documents when a TP adjustment affects customs value.

SARS has called for stakeholder comments on the draft amendments by 30 January 2026. Should there be no change to the draft amendments following stakeholder comments, the draft amendments will come into effect from 27 February 2026.

If you would like to discuss how these proposals may affect your business, please contact us to arrange a meeting.

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