

TERMS OF REFERENCE (TOR)

SERVICE CONTRACT CUSTOMS CLEARANCE

1. SUMMARY OF SERVICE

Location:	South Sudan
Application Deadline:	27 th of October 2023
Type of Contract:	Service framework Agreement
Post Level:	National supplier
Languages Required:	English Language
Starting Date:	15th of November 2023
Expected Duration of service:	1 Year

2. PURPOSE OF THE SERVICE:

The service provider will manage the customs and clearance procedure of all shipments for HI. Generally, act as an intermediary between HI and Customs in Customs clearance processes.

3. OBLIGATIONS AND LIABILITIES

The main obligations and liabilities under this service contract are summarized as follows:

- To ensure compliance with customs and other regulatory requirements of South Sudan customs department.
- To advise HI South Sudan on various compliance requirements.
- To exercise due diligence to ascertain the correctness of any information and not submit or procure or assist in the filing of any claim, or of any document, known by the service provider to be false.
- To be liable (jointly and severally) for the payment of duties, taxes and other charges, based on the documentation provided by, on behalf of HI South Sudan.
- Not attempt to influence the conduct of any official concerning any matter pending consideration.
- To maintain and preserve records relating to HI South Sudan for a specified period of time for customs audit/inspection.
- To maintain high professional standards, transparency, efficiency, and business ethics.
- To discharge his duties with the utmost speed, efficiency, and integrity, ensuring a high level of service delivery standards.
- To cooperate with customs and other government agencies in improving compliance.

4. SCOPE OF THE SERVICE

- Preparation of import, export and warehouse documents required by Customs and other government agencies on behalf of HI South Sudan.
- Completion and submission of Customs declarations for import, export and transit on behalf of HI South Sudan.

- Completion and submission of Customs declarations related to warehousing.
- Completion and submission of other import or export documents or data required by government authorities on behalf of HI South Sudan.
- Application of exemption for duty, taxes and other regulatory charges and fees on imports and exports.
- Arranging and being present for the examination of goods by Customs authorities and other government agencies.
- Filing of duty and tax refund requests and amendments to Customs declarations on behalf of HI South Sudan.
- Consultation on matters relating to classification, valuation, and determination of origin for imports and exports and on matters relating to government requirements for imports and exports.
- Maintenance of records and supporting documents and data relating to import, export, and transit transactions as required by law.

5. REQUIRED SKILLS, COMPETENCIES AND EXPERIENCE

The service provider must have expertise and grounded experience in carrying out clearance processes of South Sudan and International customs clearance procedures.

The provider must have knowledge of the following (but not limited to):

- Principal legislation, regulations, and policies governing the import and export of goods.
- The Harmonized Tariff Classification System.
- Tariff Treatments and Trade Agreements.
- Valuation.
- Product quality.
- Origin - Marking of Goods.
- Corrections and Refunds/Adjustments.
- Goods requiring permit/certificates and Prohibited Goods.
- Anti-dumping and countervailing duty.
- Reporting, releasing and formal entry of goods.
- Payment of duties and taxes.
- Export procedures including drawback.
- Processes and procedures for the clearance of shipments below the minimum.

6. ETHICAL PRINCIPLES

Customs brokers operate in an environment where expectations from both their client and the customs Administration must be met in a complementary manner. The main duty of Customs broker herein is to represent the interests of HI South Sudan, as long as these are not in violation of the laws and regulations valid in South Sudan. Below are some of the ethical principles expected of the service provider/

- Shall perform their professional activity with competence and responsibility, keeping professional confidentiality, fulfilling duties with respect to their colleagues, clients, and Customs.
- Should perform the legally required activities. They must meet regulatory deadlines and requirements, and pay duties, taxes, fees according to Customs and other relevant laws of South Sudan.
- Shall carry out their profession with objectivity. They will give a fair and impartial opinion.
- Must apply all their knowledge inherent to the technical and professional demands of the industry in order to facilitate services for HI South Sudan.

- Must have the ability to fulfill requirements and take advantage of benefits for their client. They should be prepared to defend and educate HI South Sudan when dealing with Customs or other entities.
- Is subject to professional confidentiality and data privacy norms.

7. APPLICATION PROCEDURE:

The closing date for receipt of applications is **27th of October 2023** NOT LATER THAN **17:00hrs** South Sudan Time.

The interested Clearing agents should submit the following documents along with their application:

- Technical and Financial Proposal that outlines relevant skills and experience. The financial offer should include a schedule of fees applicable for the different processes.
- Proof of similar services

Applications should be submitted by email with the heading ***“CUSTOMS CLEARANCE SERVICES”*** through email tender@southsudan.hi.org or hand-delivery to HI Office in Juba (Plot No 298, 3K South Hai Juba Na Bari, Thiongping opposite Indian Embassy)

- Only successful Clearing Agents will be contacted.