

EXPORT AND IMPORT (AMENDMENT) ACT, 2000 (ACT 585)

ARRANGEMENT OF SECTIONS

Section

1. Section 7 of Act 503 Amended.
2. Section 9 of Act 503 Amended.
3. Section 10 of Act 503 Amended.
4. Section 13 of Act 503 Amended.
5. Section 14 of Act 503 Amended.
6. Section 15 of Act 503 Amended.
7. Transitional Provisions.
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THE FIVE HUNDRED AND EIGHTY-FIFTH

ACT

OF THE PARLIAMENT OF THE REPUBLIC OF GHANA

ENTITLED

EXPORT AND IMPORT (AMENDMENT) ACT, 2000

AN ACT to amend the Export and Import Act, 1995 (Act 503) to provide for destination inspection and for connected purposes.

DATE OF ASSENT: 10th October, 2000.

BE IT ENACTED by Parliament as follows:

Section 1—Section 7 of Act 503 Amended.

The Export and Import Act, 1995 (Act 503) referred to in this Act as the principal enactment is amended by the substitution for paragraph (a) of subsection (2) of section 7 of the following:

“(a) to the inspector appointed under this Act to conduct destination inspection of the imports”.

Section 2—Section 9 of Act 503 Amended.

The principal enactment is amended by the substitution for section 9 of the following sections:

9—“Destination Inspection.

For the purpose of ensuring that the quality, quantity, price and other specifications of import goods are in conformity with the particulars on the Import Declaration Form, invoice and any other document relevant to the goods, all commercial imports shall be subject to destination inspection of the goods at the port or point of clearance in the country.

9A—Gateway Pass and Final Valuation Report.

- (1) After the inspection under section 9 the inspector shall issue a Final Classification and Valuation Report containing the particulars for the assessment of the customs value and tariff classification of the goods to the importer.
- (2) The Final Classification and Valuation Report shall be transmitted to the Customs, Excise and Preventive Service by the inspector.
- (3) The inspector shall where satisfied that the goods are goods permitted to be imported into the country under this Act or any other enactment, issue a gateway pass to the importer.
- (4) An inspector shall issue a gateway lock,
 - (a) if the goods are not in conformity with the particulars of the Import Declaration Form; or
 - (b) where the goods are not permitted to be imported into the country under this Act or any other enactment.
- (5) Goods with a gateway lock shall not be cleared unless specifically authorised by an inspector.
- (6) Subject to subsection (5),
 - (a) uncleared goods under a gateway lock shall be re-exported by the importer; and
 - (b) any importer who fails to re-export uncleared gateway locked goods within 60 days from the date of the issuance of the gateway lock commits an offence.

9B—Destination Inspection Fee.

- (1) The importer shall pay an inspection fee in respect of the destination inspection.
- (2) The inspection fee shall not exceed one percent of the total dutiable CIF value as the Minister may by legislative instrument prescribe.

9C—Exemption.

Notwithstanding any provision of this Part, the Minister may by legislative instrument, exempt such category or value of commercial import as may be specified in the instrument from the requirement of destination inspection.”

Section 3—Section 10 of Act 503 Amended.

The principal enactment is amended by the substitution for section 10 of the following:

10—“Appointment of Destination Inspectors.

The Minister may in writing appoint inspectors to conduct the destination inspection of commercial imports at the port or point of clearance of the goods.”

Section 4—Section 13 of Act 503 Amended.

The principal enactment is amended by the substitution for paragraph (c), (d) and (e) in section 13 of the following:

- “(c) for the destination inspection of goods and import into Ghana;
- (d) prescribing the categories or value of goods which are exempted from destination inspection;
- (e) prescribing, altering or revoking any fees or charge payable in respect of destination inspection.”

Section 5—Section 14 of Act 503 Amended.

The Principal enactment is amended by the repeal of subsection (2) of section 14 and the renumbering of section 14(1) as section 14.

Section 6—Section 15 of Act 503 Amended.

The principal enactment is amended in section 15 as follows:

(a) by the deletion of the definition of “Clean Report of Findings”;

(b) by the insertion after the definition of “Commissioner” of the following:

“Final Classification and Valuation Report” means a report issued by an inspector which contains all the elements necessary for the assessment of the tariff classification by Customs, Excise and Preventive Service;

“Gateway lock” means a document or security label issued by an inspector in respect of imported goods which prevents the goods from being released by the Customs, Excise and Preventive Service;

“Gateway pass” means a document or security label issued by an inspector in respect of imported goods for customs clearance;”

(c) by the substitution for the definition of “inspector” of the following:

“inspector” means a destination inspector appointed for the purpose of inspecting commercial imports prior to their clearance in Ghana”.

Section 7—Transitional Provisions.

(1) Any commercial import covered by an Import Declaration Form submitted to a pre-shipment inspector on or before 31st March 2000 shall be subject to pre-shipment inspection by the pre-shipment inspector if the goods arrive on or before the 31st August 2000.

(2) Import Declaration Forms submitted to a destination to a destination inspector on or after 1st September 2000 shall be processed through the destination inspection provided for under this Act.

(3) Clean Reports of Findings issued under the pre-shipment inspection scheme shall remain valid until 31st August 2000.

(4) Any goods that arrive with a valid Clean Report of Finding on or after 1st September 2000 shall be subject to the destination inspection scheme and a new Import Declaration Form shall be filed in respect of the goods.

Section 8—Commencement.

This Act shall come into force on September 1st 2000.

Date of Gazette Notification: 20th October, 2000.