

Law n.° 68/2005

of October 31

The present



territory customs house, with suspension of rights and taxes in the import, certain goods destined to suffer a transformation, an elaboration, a complement of manufacture or a repairing and to be exported later on under form of compensatory products;

- h) "Compensatory products", the resulting products of the transformation, of the elaboration, of the complement of manufacture or of the repairing of goods for which the use of the regime of active improvement was authorized;
- i) "Passive improvement", the customs house regime that allows to export goods temporarily that are in free circulation in the territory customs house with the goal of suffering a transformation, an elaboration or a repairing abroad and of their re import, soon afterwards, with total or partial exemption of rights and taxes in the import;
- j) "Free trade zones", a part of the national territory in which the goods are introduced are considered usually as not being in the territory customs house for effects of application of the rights and taxes in the import;
- k) "Restrictive regimes", the regimes that impose restrictions to the freedom of the external Trade, as such obligatorily defined by law, and that they submit to the obtaining of previous license, the accomplishment of operations in another way prohibited, conditioned or contingent;
- l) "Technical Control ", verification of the technical specifications and of the "standard" qualities of the goods, in agreement with legal or contractual criteria, national or international, and the usual practices of the trade;
- m) " Sanitary Control ", controls relative to the people's health, animals and plants;
- n) "Safety Control", controls relative to the national security weapons, ammunitions and explosives.

3. Are considered assimilated destinies to an export the following operations:

- a) Supply of goods for provisioning of ships destined to the marine navigation and of

the aircrafts that make services in the international lines;

b) Supplies of goods to the international organizations established in Cape Verde.

4. Are considered assimilated destinies to an import, exclusively for statistical ends, the granted donations to the public and private national entities, in the frame of the bilateral and multilateral helps, and the entrance in the national territory of goods or services in the extent of operations of external financing.

## Article 2nd

### **General principles**

1. The import and export operations are free for the importers and exporters, accredited in the terms of the law.
2. The singular people can only import goods in amounts that don't reveal trade practice, in the terms to regulate.
3. The collective people that don't have in their social object the import trade; will only be able to import goods in the terms of the respective applicable sector legislation.

## CHAPTER II

### **Licensing of imports**

## Article 3rd

### **Administrative system**

The administrative system of the imports, comprehends the following modalities:

a) Imports free of licensing;

**Article 5th**  
**Licensing of the imports**

1. All of the goods are subject to the automatic licensing, except the defined ones in the number 2 of this article.
2. The goods subject to the no automatic licensing are:
  - a) The goods subject to sanitary, phytosanitary and safety controls;
  - b) The goods subject to restrictions, obligatorily, defined by law.
3. The import request of the goods to which refers the previous number, it should be accompanied of conformity certificate emitted by the competent entities.

**Article 6th**  
**Act of rendering Effective**

1. The automatic licensing will be effective by the presentation of the custom's declaration in the Customs.
2. The no automatic licensing will be effective in a maximum period of 21 days, starting from the date of presentation of the custom's declaration in the Customs.

**CHAPTER III**  
**Import and export procedures**

**Article 7th**  
**Declaration**

1. The customs declarations for import and export are made by the importers and exporters or by their official dispatchers, directly in the customs.
2. By regulating decree will be defined the procedures to adopt in the process of external trade, among the several intervening government and private entities.

**Article 8th  
Competence**

1. The licensing of the import and export operations is of the competence of the responsible Ministry for the area of trade.
2. In the case of no automatic licensing, the respective competent authorities should grant their previous authorization.

CÁPITULO IV

**Clearance sale of the operations of external trade**

Article 9th

**Bank intermediation**

The clearance sale of the operations of external trade is performed in the terms of the exchange law.

CHAPTER V

**Regime customs officer of the external trade**

Article 10th

**Dispatch from the customs house**

All of the goods subject to dispatch from the to



Article 14th

**Entrance in force**

The present diploma enters into force 30