

ORDERS MADE UNDER THE CONTROL OF GOODS

(IMPORT AND EXPORT) (AGRICULTURE) REGULATIONS

THE CONTROL OF GOODS(IMPORT AND EXPORT) (AGRICULTURE) ORDER

Order of the Minister Statutory Instruments

76 of 1970

8 of 1971

23 of 1972

177 of 1974

126 of 1975

96 of 1995

Title

1. This Order may be cited as the Control of Goods (Import and Export) (Agriculture) Order.

Interpretation

2. In this Order, unless the context otherwise requires-

"form" means a form prescribed in the First Schedule;

"honey" includes unprocessed royal jelly;

"ice-cream mix" includes any mixture, whether in powder or other form, suitable for manufacture into ice-cream, with or without the addition of other ingredients;

"issuing authority", in relation to an application for the issue of a permit under this Order, means the Permanent Secretary, Ministry of Agriculture.

Issue of permits

3. (1) The issuing authority may issue a permit authorising, subject to the provisions of this Order and of any other written law-

(a) the import into the Republic of Zambia of any goods listed in the Second Schedule;

(b) the export from the Republic of Zambia of any goods listed in the Third Schedule;
on such terms and conditions as may be specified in, or attached to, the permit.

(2) A permit issued under this paragraph shall-

(a) if it relates to the import of goods into the Republic of Zambia, be in Form No. 1;

(b) if it relates to the export of goods from the Republic of Zambia, be in Form No. 2.

(3) Any export permit other than an export permit relating to maize meal including hominy chop, maize cones, maize grits, maize offals processed with or without additives and maleic hydrazide also known as M.H.

(As amended by S.I. No. 96 of 1995)

Exceptions in relation to the import of goods

4. (1) Subject to the provisions of sub-paragraph (2), no person shall import into the Republic of Zambia any goods listed in the Second Schedule except in accordance with the terms and conditions of a permit issued under paragraph 3.

(2) The provisions of sub-paragraph (1) shall not apply in relation to-

(a) any goods which are in the course of transit through the Republic of Zambia to a place beyond the borders thereof;

(b) any goods not exceeding twenty thousand kwacha in value which are imported in any one week into the Republic of Zambia by an individual residing in the Republic of Zambia for his personal domestic consumption and not for sale or disposal to any other person;

(c) any goods not exceeding twenty thousand kwacha in value which are imported in any one week into the Republic of Zambia as a bona fide gift from a person residing outside the Republic of Zambia to a person residing in the Republic of Zambia.

(3) Any person importing maize meal, including hominy chop, maize cones, maize grits, maize offals, processed maize with or without additives and maleie hydrazide, also known as M.H., shall require an import permit in relation to goods-

(a) which are in the course of transit through the Republic of Zambia to a place beyond the borders; or

(b) which are exported under an export permit issued under the principal Order if the exporter satisfies the Ministry responsible for agriculture, food and fisheries, that such exporter has, on the basis and by reason of his having been earlier issued with such export permit, incurred a contractual and legally enforceable obligation prior to the publication of this Order.

(As amended by S.I. No. 96 of 1995)

Exceptions in relation to the export of goods

5. (1) Subject to the provisions of sub-paragraph (2), no person shall export from the Republic of Zambia any goods listed in the Third Schedule except in accordance with the terms and conditions of a permit issued under paragraph 3.

(2) The provisions of sub-paragraph (1) shall not apply in relation to-

(a) any goods which are in the course of transit through the Republic of Zambia to a place beyond the borders thereof;

(b) any goods not exceeding four kwacha in value which are exported in any one week from the Republic of Zambia by an individual for personal domestic consumption and not for sale or disposal by any other person;

(c) any goods not exceeding four kwacha in value which are exported in any one week from the Republic of Zambia as a bona fide gift from a person residing in the Republic of Zambia to a person residing outside the Republic of Zambia.

Application for the issue of permits

6. An application for the issue of a permit under this Order shall be made in writing and, subject to the provisions of paragraph 7, shall be addressed to the Permit Officer, Ministry of Agriculture.

Special provisions regarding the issue of permits in terms of the Stock Diseases Act.

7. Where a permit is required in accordance with the provisions of this Order and also in accordance with the Stock Diseases Act, to authorise the import into the Republic of Zambia of the same goods-

- (a) an application for the issue of a permit in terms of this Order shall be deemed to be an application for the issue of a permit in terms of the Stock Diseases Act;
- (b) if the issuing authority issues a permit, he shall thereupon forward the permit and the application to the appropriate person authorised to issue a permit in terms of the Stock Diseases Act to be dealt with by such person in accordance with the provisions of such Act unless-
- (i) he is satisfied that the person authorised to issue a permit in terms of the Stock Diseases Act has already issued a permit which is in force; or
- (ii) the applicant specifically requests otherwise;
- (c) the issuing authority shall not issue a permit under this Order if he is satisfied that the person authorised to issue a permit in terms of the Stock Diseases Act has already refused to issue a permit;
- (d) if the issuing authority issues a permit under this Order after being furnished with a permit issued by the person authorised to issue a permit in terms of the Stock Diseases Act which is in force, he shall thereupon forward both permits to the applicant.

Order or permit not to limit compliance with any other written law

8. Nothing contained in this Order or in any permit issued thereunder shall exempt the holder of such permit from complying with the provisions of any other written law controlling the import into or the export from the Republic of Zambia of the goods to which such permit relates.

FIRST SCHEDULE

(Paragraphs 2 and 3)

FORMS OF PERMITS

FORM NO. 1

THE CONTROL OF GOODS ACT

IMPORT PERMIT

Issued in terms of the Control of Goods (Import and Export)

(Agriculture) Order

No

IN THE EXERCISE of the powers conferred upon the issuing authority by the Control of Goods (Import and Export) (Agriculture) Order:

is hereby authorised, subject to the provisions of that Order and of any other written law,

to import into the Republic of Zambia

from

on the following terms and conditions:

1 .

2 .

This permit is valid until

Date

Issuing Authority

FORM NO. 2

THE CONTROL OF GOODS ACT

EXPORT PERMIT

Issued in terms of the Control of Goods (Import and Export)

(Agriculture) Order.

No

IN THE EXERCISE of the powers conferred upon the issuing authority by the Control of Goods (Import and Export) (Agriculture) Order:

is hereby authorised, subject to the provisions of that Order and of any other written law, to export from the Republic of Zambia

on the following terms and conditions:

1 .

2 .

This permit is valid until

Date

Issuing Authority

SECOND SCHEDULE

(Paragraphs 3 and 4)

GOODS FOR THE IMPORT OF WHICH A PERMIT ISSUED UNDER PARAGRAPH 3 IS REQUIRED

1. Bananas.
2. Beans, excluding-
 - (a) beans which are tinned, bottled or otherwise preserved;
 - (b) seed beans in quantities of less than 200 lb.
3. Bean meal.
4. Bones; bone meal.

5. Butter; cheese, excluding tinned or bottled cheeses weighing one pound or less.
6. Cattle; beef, veal and edible products manufactured from the carcasses of cattle, but excluding sausage casings, meat extract, meat paste, meat powder, potted meat and tinned meat.
7. Citrus fruits.
8. Compound products containing flour, meal, residues and other preparations of a kind suitable only for use as animal feedstuffs, but excluding-
 - (a) anti-biotic growth stimulants;
 - (b) bird seed;
 - (c) cat and dog foods;
 - (d) chemical additions to animal feedstuffs;
 - (e) inert fillers;
 - (f) salt lick for cattle;
 - (g) synthetic animal feedstuffs;
 - (h) trace elements.
9. Eggs of poultry, whether in shell, pulp or dried form; eggs of wild birds.
10. Game meat and game biltong.
11. Goats; carcasses of goats.
12. Groundnuts, excluding salted or roasted peanuts.
13. Honey.
14. Ice-cream; ice-cream mix, but excluding ice-cream mix contained in sealed tins of one pound or less in weight.
15. Maize, including-
 - (a) crushed maize;
 - (b) dried maize, on or off the cob;
 - (c) samp;but excluding green maize on the cob.
16. Deleted.
17. Deleted.

18. Meat meal, blood meal; carcass meal.
19. Oil-seeds; oil-meal; oil-cake; offals and residues from oil-seeds.
20. Onions.
21. Pigs, edible products manufactured from the carcasses of pigs, including canned products, but excluding hog casings, meat pastes and potted meats with a pig meat content.
22. Potatoes.
23. Live poultry, including day-old chicks.
24. Rice, excluding canned products, and puffed, parched and beaten rice.
25. Sheep; mutton, lamb and edible products manufactured from the carcasses of sheep, excluding sausage casings.
26. Tomatoes, excluding canned tomatoes.
27. Vegetable oils, but excluding almond oil, castor oil, coconut oil, linseed oil, olive oil and sesame oil.
28. Wheaten bran, wheaten pollard.
29. Seeds.

(As amended by No. 8 of 1971 and No. 23 of 1972 and No. 96 of 1995)

THIRD SCHEDULE

(Paragraphs 3 and 5)

GOODS FOR THE EXPORT OF WHICH A PERMIT ISSUED UNDER PARAGRAPH 3 IS REQUIRED

1. Bones; bone meal.
2. Butter; cheese.
3. Cattle; beef and edible products manufactured from the carcasses of cattle, but excluding meat extract, meat paste, meat powder, potted meat and tinned meat.
4. Compound products containing flour, meal, residues and other preparations of a kind suitable only for use as animal feedstuffs, but excluding-

- (a) anti-biotic growth stimulants;
- (b) bird seed;
- (c) cat and dog foods;
- (d) chemical additions to animal feedstuffs;
- (e) inert fillers;
- (f) synthetic animal feedstuffs;
- (g) trace elements.

5. Groundnuts.

6. Honey.

7. Maize, including-

- (a) crushed maize;
- (b) dried maize, on or off the cob;
- (c) samp;

but excluding green maize on the cob.

8. Maize meal, including-

- (a) hominy chop;
- (b) maize cones;
- (c) maize grits;
- (d) maize offals.

9. Meat meal, blood meal, carcass meal.

10. Oil-seeds; oil-meal; oil-cake.

11. Pigs, edible products manufactured from carcasses of pigs, including canned products.

12. Potatoes.

13. Seed cotton.

14. Wheat, including-

- (a) wheat flour;
- (b) wheaten bran;

(c) wheaten pollard.

15. Seeds.

16. Fish, including fish meal.

(As amended by S.I. No. 177 of 1974 and 126 of 1975)