

1st current copy

**ጋዜጣ አዋጃት ኤርትራ
ብመንግስቲ ኤርትራ ዝሕተም**

ቅጹ 11/2002 ቁ.2 ኣስመራ ጥሪ 22/2002 ዋጋ ናቕፋ. 15.00

- ሕጋዊ ምልክታ ቁጽሪ 53/2002
- ንወኪላት ምጽራይን ምስላጥን ገምሩክ ዚምልከት ሕጋጋት
- ሕጋዊ ምልክታ ቁጽሪ 54/2002
- ሕጋጋት ምሕባር እታዎት አቕሑ
- ሕጋዊ ምልክታ ቁጽሪ 55/2002
- ንአታሓሳስባ እታዎት አቕሑን ኣከፋፍላ ግብርን
- ቀረጽን ዝምልከት ሕጋጋት
- ሕጋዊ ምልክታ ቁጽሪ 56/2002
- ሕጋጋት ቡሰጣ ግምሩክ
- ሕጋዊ ምልክታ ቁጽሪ 57/2002
- ሕጋጋት አቕሑ ሰደድ
- ሕጋዊ ምልክታ ቁጽሪ 58/2002
- ሕጋጋት መዛግብ ኣለተውቲ
- ሕጋዊ ምልክታ ቁጽሪ 59/2002
- ሕጋጋት ምጉዓዝ አቕሑ
- ሕጋዊ ምልክታ ቁጽሪ 60/2002
- ሕጋጋት ምምልላስ አቕሑ ትራንዚት



**GAZETTE OF ERITREAN LAWS
PUBLISHED BY THE GOVERNMENT OF ERITREA**

VOL.11/2002 No.2 Asmara, January 22/2002: Price Nakfa 15.00

- Legal Notice No. 53/2002
- CUSTOMS CLEARING AND FORWARDING AGENTS REGULATIONS**
- Legal Notice No. 54/2002
- REPORTING OF IMPORTED GOODS REGULATIONS**
- Legal Notice No. 55/2002
- ACCOUNTING FOR IMPORTED GOODS AND PAYMENT OF DUTIES AND TAXES REGULATIONS**
- Legal Notice No. 56/2002
- CUSTOMS MAIL REGULATIONS**
- Legal Notice No.57/2002
- EXPORTED GOODS REGULATIONS**
- Legal Notice No.58/2002
- IMPORTER'S RECORDS REGULATIONS**
- Legal Notice No.59/2002
- TRANSPORTATION OF GOODS REGULATIONS**
- Legal Notice No.60/2002
- IN-TRANSIT SHIPMENTS REGULATIONS**

ሕጋዊ ምልክታ ቁጽሪ 54/2002

ሕጋጋት ምሕባር እታዋት አቕሑ

1. ሓጺር አርእስቲ

እዚ ሕጋጋት'ዚ " እታዋት አቕሑ ንምሕባር ዝወጸ ሕጋጋት ቁጽሪ 54/2002" ተባሂሉ ኪጥቀስ ይከኣል።

2. ትርጉም

አትኣታትውእም ካልእ ትርጉም ዘውህቦም እተዘይኮይኑ አብ'ዚ ሕጋጋት'ዚ፡-

"እተረቐኑብ ቤት ጽሕፈት ጉምሩክ" ማለት ኣብ ትሕቲ ዓንቀጽ 13 ናይ ኣዋጅ አቕሑ ኪሕበሩሉ ዚኸእሉ ኣብ ትሕቲ ዓንቀጽ 6 ናይ ኣዋጅ ከም ቤት ጽሕፈት ጉምሩክ እተረቐኑብ ቦታ ማለት ኢዩ።

"እተረቐኑብ መጽንሒ ቦታ" ማለት ወጻኢ ካብ ሃገሪ ኤርትራ መጸኢም ናብ ካልእ ቦታ ኣብ ሃገሪ-ኤርትራ ወይ ወጻኢ ካብ ኤርትራ ናብ ዝኸነ ቦታ ኪኣልፉ ኣብ ትራንዚት ዘሎዉ ሰባት መጽንሒ ኪጥቀሙሉ ብዳይረክተር ጀነራል እተረቐኑብ ክፍሊ ወይ ካልእ ሰፍራ ማለት ኢዩ።

"ዳይረክተር ጀነራል" ማለት ዳይረክተር ጀነራል ናይ ክፍሊ ጉምሩክ ማለት ኢዩ።

"ኣህጉራዊ ንግዳዊ ምጉዕዓዝ" ማለት፡-

- (i) ሰባት ወይ አቅሑ ብክራይ ወይ ብሀያብ ምጉዓዝ ዝውጽኡቲ ወይ ከምኡ ውጽኢት ክህልዎ እተሓሰበ ዝኸጎ ምጉዕዓዝ፡ ወይ
- (ii) ፊናንሳዊ እትዋት ኣብ ዘሎዎ ንጥፊት ብዚዋሳእ ትካል ወይ ኣብ ከንድኡ ኩይኑ ዝጻዩ ናይ ሰባት ወይ አቅሑ ምጉዕዓዝ ማለት ኮይኑ፡

እቶም ሰባት ወይ አቅሑ፡-

- (iii) ወጻኢ ካብ ኤርትራ ካብ ዘሎ ቦታ ናብ ሓደ ቦታ ኣብ ውሽጢ ኤርትራ፡
- (iv) ካብ ሓደ ቦታ ኣብ ውሽጢ ኤርትራ ናብ ካልእ ቦታ ወጻኢ ካብ ኤርትራ፡ ወይ
- (v) ካብ ሓደ ቦታ ወጻኢ ካብ ኤርትራ ብኤርትራ ብትራንዚት ሓሊፎም ናብ ሓደ ቦታ ወጻኢ ካብ ኤርትራ፡

ምስ ዝጎዓዙ ማለት ኢዩ።

"አዋጅ" ማለት አዋጅ ጉምሩክ ቁ. 112/2000 ማለት ኢዩ።

"መጎዓዝያ" ማለት ዝኸነት፡ ተሽከርካሪት፡ ነፋሪት፡ ኣብ ማይ ንእትጎዓዝ ተንሳፋፊት ወይ ካልእ ንምግዕዓዝ ዘገልግል እንተላይ ንሰባት ወይ አቅሑ ንምጉዓዝ ዘገልግል ኣግማልን ካልኣት ናይ ጽዕነት እንሰላታትን ማለት ኢዩ።

3. ብዛዕባ አቕራቢ ምሕባር

አብ'ዚ ሕጋዊት ካልእ ክኸውን ኣብ እተደንገገሉ እንተዘይ ከብይኑ፡ ከሎም እታዋት አቕራቢ ኣብ ትሕቲ ዓንቀጽ 13 ናይ አዋጅ ብቐጥታ ብጽሑፍ ናብ'ቲ ዝቐረበ ንሰራሕ ክፉት ዝኸውን እተረቐሩሉ (ዝምልከቶ) ቤት ጽሕፈት ጉምሩክ ይሕበሩ።

4. ኣገባብ ምሕባር

ብዓል መዚ፡ ንአእታዊ አቕራቢ ብጽሑፍ ከምዚሕበር እንተዘይገ ይሩ፡ እዞም ዚሰዕቡ አቕራቢ ብቐል ኪሕበሩ ይኸእሉ፡-

(ሀ) ቦቲ ናብ ሃገረ-ኤርትራ ዚኣቱ ዘሎ ሰብ ብኣካል ተታሒዞም ዚኣትዉ አቕራቢ፡ ወይ እቲ አቕራቢ ሓደ ክፋል ናይ ሻንጣኡ ከውን እቲ ሻንጣን ሰብን ብሓደ መገጫዚያ ብሓንሳብ ኣብ ዚገጫዘሉ፡

(ለ) ን(ሐ) ናይ'ዚ ዓንቀጽ'ዚ እናተማእዘዘ፡ ብዘይካ'ዞም ዚሰዕቡ፡ ኣብ ኣህጉራዊ ንግዳዊ ምጉዕዓዝ ዚዋስኡ፡ ኣብ ወጻኢ ዚመደበሮም መገጫዚያታት፡-

(i) ተሰሓብቲ ባገጫታት ባቡርን እታ ባቡር ባዕላን፡ ከምኡ ከኣ

(ii) መራኸብ፡

(ሐ) ኣብ ወጻኢ ዝመደበሮም ኣብ ኣህጉራዊ ንግዳዊ ምጉዕዓዝ ዚዝውተሩ ናይ አቕራቢ ኮንተይነራት፡ ማለት ባዚ ዚሰዕብ ዚኣትዉ፡-

(i) አብ ትሕቲ ቁጽጽር ናይ'ቲ አብ አህጉራዊ ንግዳዊ ምጉዕግዳ ናይ ዝዝውተሩ ኮንተይነራት ዝርዝር (ኢንቨንተሪ) ዚሕዝ ሰብ፡ማለት

(U+) እቲ ሰብ፡ እቶም ኮንተይነራት አብ ናይ ኤርትራ ውሽጣዊ አገልግሎት ከምዘይተዘ ውተሩ ወይ አብ ውሽጣዊ መዓላ እንተ ውዲሎም ከኣ ኩሉ ተተግባሪ ግብርን ቀረጽን ከም እተኸፍሉሎም ብዓል መዚ ጉምሩክ ኬረ ጋግጽሉ ዘኸእሎ ናይ ኩሎም ናብ ኤርትራ ዚኣተዉ ኮንተይነራት መዝግብ አብ ዝሕዘሉ፡

(A+) እቲ ሰብ፡ አብ ካረግ(U+) እተጠቐሰ መዝግብ ንበዓል መዚ ጉምሩክ ክፉት ኪኸውን አብ ዘፍቅደሉ፡

(መ) አብ ኤርትራ ዚመደበረን ናይ ጽርግያ ተሸከርካርቲ፡ መራኸብ ነፈርቲ፡ ናይ ምድረ-ባቡር ባጉኒ ታትን ናይ ኣቕሑ ኮንተይነራትን፡ አብ ኤርትራ እተሰርሑ ወይ ግብርን ቀረጽን እተኸፍሉሎም፡ ከም እተመልሱ ኣቕሑ መጠን አብ ትሕቲ ድንጋጌታት ዓንቀጽ 56 ናይ ኣዋጅ ግብርን ቀረጽን ከይከፈሉ ኪኣተዉ ዚበቐዑ።

5. አብ ዝቐረበ ቤት ጽሕፈት ጉምሩክ አብ ምሕባር ዘሎ ፍሉይነታት

ካብ ኤርትራ ንወጻኢ ብእትቐጽል ናይ ህዝቢ ንግዳዊ መገ-ዓዝያ ናብ ኤርትራ ዝኣተዉ ሰብ ብካቂ ዝውንኖም ኣቕሑ ሓበሬታ ኪወሃበሎም ኣየድልን። እዚ ዚኸውን ግን አብ ዚሰብ ኩነታት'ዩ፡-

(ሀ) እቲ አቕሑ ኣብ ትሕቲ ቍጽጽር ጉምሩክ ካብ ኤርትራ ወጸኢ ናብ ዝኸነ ቦታ ወይ ከኣ ብቐጥታ ኣብ እተረቐሑ መጽንሒ ቦታ ንኪበገሰ ብቐጥታ ናብ ካልእ ናይ ህዝቢ ንግዳዊ መገጫዎ ኣብ ዝሰጋገረሉ እንተዘይኮይኑ፡ ካብ'ታ መገጫዎ ኣብ ዘየልግሰሉን፡ እቲ ሰብ ድማ ካብኣ ኣብ ዘይወርደሉን፤

(ለ) ሰብን አቕሑን ካብ ኤርትራ ወጸኢ ናብ ዝኸነ ቦታ ንኪበገሱ፡ ኣብ ናይ ህዝቢ ንግዳዊ መገጫዎ ንኪጸዓኑ፡ ኣብ ትሕቲ ቍጽጽር ጉምሩክ ናብ እተረቐሑ መጽንሒ ቦታ ኣብ ዝግዕዙሉ።

6. እዋናዊ ምሕባር

ኣብ ኤርትራ እተሰርሓ ንግዳውያን ገፈፍቲ ዓሳ መራኸብ፡ ከምኡ ከኣ ዓሳ ንምግፋፍ እተፈቐደለን ወይ እተመዝገባ ቀረጽ ዝኸፈላ ገፈፍቲ ዓሳ መራኸብ፡ ነዚ ዚሰዕብ ኣብ ዝገብራሉ ግዜ ንጉምሩክ ይሕብራ፡-

(ሀ) ናይ መራኸብ ሰንቂ ኣብ ዝወሰዳሉ፡

(ለ) ወጸኢ ካብ ሃገረ ኤርትራ ኣብ ካልእ ሃገር ኣብ ዝኣትዋሉ፡ ወይ

(ሐ) ኣብ ባሕሪ እንከለዋ ኣብ ትሕቲ ዓንቀጽ 13 ናይ ኣዋጅ፡ ዘይተሓበረ፡ ስራሓት ኤርትራ ዘይኮኑ አቕሑ ምስ ዝማላእ፡

ከምዚ ኣብ ላዕሊ ዘሎ እንተዘይኮይኑ እተን መራኸብ ዓመታዊ ወይ ብጉምሩክ ከምእተደልዮ ይሕብራ።

7. ምዲብ ምሕባር

ተሽከርካር፣ ወይ ተሳፈር፣ ሰግር አህጉራዊ ማያት ብቅንዳ ንምግግግ ወይ ስለኡ ጥራይ ተባሂሉ ብመጻፍታዊ ደረጃ ዚገወተራ መራኸብ ድሕሪ'ታ መወዳእታ ጉዕዞ ናይ'ታ መርከብ ዘላ መጻልቲ ይሕብራ።

8. ቅድሚ ምሕባር ናይ እተራገፉ አቕሑ ምሕባር

ሓንቲ መገገገያ ኣብ ንኡስ ዓንቀጽ 13(6) ናይ አዋጅ ብእተገልጸ ኩነታት ኣብ እተራገፈትሉ ኩነታት፣ እቲ ናይ'ታ መገገገያ ሓላፍነት ዘለዎ ሰብ መጀመርታ ብተሌፎን ወይ ካልእ ዝሰለጠ አገባብ ብዛዕባ'ታ መገገገያን ኣብ ንኡስ ዓንቀጽ 13(7) ናይ አዋጅ ብዛዕባ እተገልጹ አቕሑን ይሕብር'ሞ፣ ብዓንቀጽ 13(4) ናይ አዋጅ ብዝተአዘዘ መሰረት ድማ ኣብ ውሽጢ 24 ሰዓታት ብጽሑፍ ሓበሬታ የቕርብ።

9. ናብ ሃገር ንምእታው አቕዲምካ ብዛዕባ ዚግበር ምልክታ

ካብ ንቡር ወጸኢ ኣብ ዝኸነ መደባት ወይ ኣብ አቕዲሙ እተወሰነ ናይ ኮንትራት መደብ ናብ ኤርትራ 20 ወይ ዝያዳ ሰባት ናይ እተግዕዝ ዝኸነት ነፋሪት፣ መርከብ ወይ ባቡር ወናኒ ወይ ሓላፍነት ዘለዎ ሰብ ነቲ ናይ ከባቢ ብዓል መዚ ገምሩክ ብዛዕባ'ቲ ክኣትዉሉ ተሓሲቡ ዘለዎ ግዜን ቦታን ብውሑዱ ቅድሚ 72 ሰዓታት ብጽሑፍ የፍልጡ።

10. ሕጋጋት አብ ግብሪ ዝውዕለሉ ዕለት

እዚ ሕጋጋት'ዚ አብ ጋዜጣ አዋጃት ኢርትራ ተካቲሙ ካብ ዝወጸሉ ዕለት ጀሚሩ አብ ግብሪ ይውዕል።

አሰመራ፡ ጥሪ 22/2002

ብርሃነ አብርሃ
ሚኒስተር ፋይናንስ

Legal Notice No. 54/2002

REPORTING OF IMPORTED GOODS REGULATIONS

1. Short Title

These Regulations may be cited as the "Reporting of Imported Goods Legal Notice No. 54/2002".

2. Definitions

In these Regulations unless the context otherwise requires:

"designated Customs office" means a place designated under Article 5 of the Proclamation as a Customs office where goods may be reported under Article 13 of the Proclamation;

"designated holding area" means a room or other area designated by the Director General for the use of persons arriving in the State of Eritrea who are in transit to another place in the State of Eritrea or to a place outside the State of Eritrea;

"Director General" means the Director General of the Customs Department;

"international commercial transportation" means:

- (i) any transportation resulting in, or intended to result in, the carriage of persons or goods for hire or reward; or
- (ii) any transportation of persons or goods by or on behalf of an enterprise engaged in an activity of financial return;

where the persons or goods are conveyed:

- (iii) from a place outside of Eritrea to a place inside of Eritrea;
- (iv) from a place inside of Eritrea to a place outside of Eritrea; or
- (v) from a place outside of Eritrea in transit through Eritrea to a place outside of Eritrea;

"Proclamation" means the Customs Proclamation No.112/2000;

"conveyance" means any vehicle, aircraft, water-borne craft or other contrivance, including camels and other beasts of burden, that is used to move persons or goods.

3. Reporting of Goods

Except as otherwise provided in these Regulations, all goods that are imported shall be reported straightaway under Article 13 of the

Proclamation in writing at the nearest designated Customs office that is open for business.

4. Manner of Reporting

The following goods may be reported orally unless an officer requires the importer to report the goods in writing:

(a) goods in the actual possession of a person arriving in Eritrea, or that form part of the person's baggage where the baggage is being carried on board the same conveyance;

(b) subject to (c) hereof, foreign based conveyances engaged in international commercial transportation other than:

(i) railway rolling stock and locomotives; and

(ii) vessels;

(c) foreign based cargo containers engaged in international commercial transportation that are imported:

(i) under the control of a person who maintains an inventory of the containers that are used in international commercial transportation where the person:

(A) keeps records of all containers imported into Eritrea that would enable a Customs officer to verify that the containers were not used in Eritrean domestic service

or that, if they were used in domestic service, all applicable duties and taxes were paid; and

(B) permits the Customs officer access to the records of the containers referred to in (A) hereof.

(d) Eritrean based highway vehicles, vessels, aircraft, railway rolling stock and cargo containers that are built in Eritrea or that have been duty and tax paid, qualifying for entry at free rates of duties and taxes as goods returned under the provisions of Article 56 of the Proclamation.

5. Exceptions to Reporting at the Nearest Customs Office

Goods in the actual possession of a person arriving in Eritrea aboard a commercial passenger conveyance who is proceeding to a destination outside of Eritrea does not have to be reported, on condition that:

(a) the person does not disembark from the conveyance and the goods are not removed from the conveyance other than to be transferred under Customs control directly to another commercial passenger conveyance for departure to a place outside of Eritrea or directly to a designated holding area; and

(b) where the person and goods are transferred under Customs control to a designated holding area, to board and to be loaded on board a commercial passenger conveyance for departure to a place outside of Eritrea.

6. Periodic Reporting

Eritrean built commercial fishing vessels and duty paid fishing vessels that are registered or licensed for fishing shall report to Customs when they:

- (a) take on ships stores;
- (b) land in a country other than in Eritrea; or
- (c) pick up goods that are not the product of Eritrea while at sea and that have not been reported under Article 13 of the Proclamation,

otherwise the vessels may be reported annually or as required by Customs.

7. Normal Manner of Reporting

Vessels used on a daily basis solely or principally to transport vehicles or passengers across international waters may be reported on that day after the last trip by that craft.

8. Report of Goods Unloaded Prior to Reporting

Where a conveyance is unloaded in circumstances described in Article 13(6) of the Proclamation, the person in charge of the conveyance should try to first report the conveyance and the goods

described in Article 13(7) of the Proclamation by telephone or other expedient means, and make a written report as prescribed by Article 13(4) of the Proclamation within 24 hours of the first report.

9. Advance Notice of Arrival

The owner or person in charge of any aircraft, vessel or train that is used to transport 20 or more persons to Eritrea on other than a regular schedule, or pre-determined charter schedule shall give the officer in charge of Customs at that location at least 72 hours prior notice in writing of the proposed time and place of arrival.

10. Effective Date

These Regulations shall come into force on the date of their publication in the Gazette of Eritrean Laws.

Done at Asmara, this 22nd day of January, 2002

Berhane Abrehe
Minister of Finance