

REGULATING IMPORTATION

We Abdullah Al-Salem Al-Sabah, Amir of Kuwait.

After taking cognizance of the Constitution the National Assembly approved the following law herein stipulated, and we have ratified and promulgated it .

Article 1

The right to practise the operations of importing merchandise, materials and equipment from abroad is hereby restricted to :

1. Kuwaiti Individuals.
2. Kuwaiti Companies whose partners are all of Kuwaiti Nationality.
3. Share companies and companies of limited liability where Kuwaities own not less than 51% of total **capital** holdings.

As for Solidary- Al-Tadhamun- companies and Societe en Commandito-Tawseiyah-, in either of its forms, which are established by Kuwaiti and non-Kuwaiti partners, it shall be permissible for them to practice importation business for two years effective as of the date this law comes into force where such a company has not secured a license in accordance with another law.

Article 2

The Minister of Commerce shall not grant these importers mentioned in the proceeding article who are registered in the Commercial Register and the Kuwait Chamber of Commerce and Industry, a General Import Licence in advance for a period of one year effective as of the date of its being issued.

Article 3

As an exception of the rules of article one, importing shall be permissible on condition that an Import Permit has already been secured from the Minister of Commerce with respect to the following circumstances :

1. The importing of Luggage, furniture and materials intended for personal use.
The granting of another permit shall not be permissible unless a period of two years from the date of issuing the first permit has duly elapsed.
2. The importing of Postal Parcels whose value do not exceed K.D.100 and intended for personal use or as commercial samples not to be sold on condition that no other law is thereby breached.
3. Oil companies which have the privilege to import necessary merchandise material and equipment in so far as the specifications of their concession contracts permit.
4. Charitable and cooperative societies authorized in accordance with the rules of the law, to import merchandise and material necessary to the advancement of their objectives.

Article 4

Exempted from the rules of this law :

1. The importing of fresh fruits and vegetables, cattle and sheep or any living animal whose flesh is edible unless their importation is thereof prohibited by the provisions of another law.

2. That which is directly imported by and for their own account, the foreign diplomatic and political corps or any other political or international commission working in Kuwait provided that there is likewise treatment.
3. That which is imported for their own account by the government and its administrative bodies.

Article 5

The Minister of Commerce shall, by passing a decision to safeguard the economic interests, refuse or restrict or limit the granting of import licences for any type of merchandise and materials or for the imports of any particular country or countries and shall also be permitted to exempt them from licencing.

Article 6

It shall not be permissible for the Custom Authorities to deliver or clear these goods imported in a manner contrary to the provisions of this law, and it shall be imperative of their importer to re-export them on the first adequate means of transport departing the country within a period of one month from the date of arrival of the goods in question, after taking the liable to all the fees legally attributed thereof.

Article 7

Where the period mentioned in the preceding article elapses without the re-exportation of such goods, it shall be permissible for the Minister of Commerce to charge the Custom authorities with the sale of such goods by the means of a Public Auction and to deposit the returns accruing from their sale at the Custom Treasury or the account of the violator after deducting

all the expenses and fees.

And where the concerned persons does not claim the sum deposited in his favour within a period of six months from the date of conclusion of the sale by means of public auction, that sum shall be added to the account of the Public Treasury.

Article 8

Shall be exempted from the rules of the two proceeding articles that merchandise whose covering letter of credit has been irrevocably opened at one of the local banks, and also that merchandise concluded upon on the basis of contracts or supporting document on condition that the date of opening the letter of credit or the date of conclusion of the agreement precede the date of implementation of this law.

Article 9

The Custom Authorities shall furnish the Ministry of Commerce with an explicit copy of the Custom Statements permitting to the clearing of any merchandise, material or equipment within a period of one month from the date of this Statement. These Authorities shall also notify the Ministry of Commerce with a Statement about that merchandise, material or equipment arriving to the country in a manner contrary to the provisions of this law within a period of two days from the date of their arrival and without conducting any custom formalities on them.

Article 10

The Minister of Commerce shall decree the procedure to be followed in applying for the acquisition of import alicences

and the date to be mentioned in the application and its supporting documents.

Article 11

The Minister of Commerce shall publish the necessary orders and regulations for implementing the rules of this law.

Article 12

The Ministers, each in his own domains, shall execute this law and it shall come into force from the date of its publication in the official gazette.

Amir of Kuwait

Abdullah Al-Salem Al-Sabah

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