

THE IMPORT CONTROL REGULATIONS, 1980

(Under section 8)

*Citation.*

- I. These Regulations may be cited as the Import Control Regulations, 1980, and shall come into force on the 22nd August, 1980.

*Interpretation.*

2. In these regulations, unless the context otherwise requires —

“*bona fide* gift” means an unsolicited gift for which no charge has or is to be made, sent to the addressee for personal use or for the use of the addressee’s family and certified by the addressee to be a *bona fide* gift;

“Director” means the officer designated by the Minister to be the Director of Imports for the purposes of these Regulations;

“goods” means articles, wares, merchandise, animals, matters or things;

“normal price” has the meaning assigned to it in section 66 of the Customs, Fiscal, Excise and Sales Duties Act, 1971;

“permit” means an import permit issued under these Regulations.

*Restriction on imports.*

3. Save as provided elsewhere in these Regulations, no goods may be imported into Swaziland from any place outside the Common Customs Area except under the authority of a valid import permit issued by the Director.

*Application for a permit.*

4. Every application for a permit shall be made in the form specified by the Minister and shall reflect the normal price of the goods intended to be imported and such other information as the Minister may deem necessary.

*Application for a permit by a dealer.*

5. Every applicant for a permit to import any goods into Swaziland for commercial purposes shall prove to the satisfaction of the Director that he is a *bona fide* permanent operational dealer in such goods in Swaziland.

*Form of permit.*

6. A permit shall be in the form specified by the Minister and shall specify the terms and conditions subject to which it has been issued.

(ISSUE 2)

*Transfer of permits.*

7. Save with the prior approval of the Director, no permit shall be transferred, negotiated, sold or used to the benefit of any person not named in the permit.

*Exemptions from import permit.*

8. No import permit shall be required for the importation into Swaziland of the following: —

- (i) goods for the use of His Majesty the King of Swaziland and his family imported under item 406 of Schedule No. 4 to the Customs, Fiscal, Excise and Sales Duties Act, 1971;
- (ii) goods imported by the Government of the Kingdom of Swaziland under item 401 of the said Schedule;
- (iii) goods imported by diplomatic and other foreign representatives in Swaziland under item 406 of the said Schedule;
- (iv) goods imported under items 412.11 and 412.12 of the said Schedule;
- (v) goods in transit through Swaziland;
- (vi) goods, being household or personal effects, not including motor vehicles, imported by any person who arrives or has arrived in Swaziland for a temporary visit or to settle therein, provided the goods will be used by the said person in Swaziland and are not intended for sale or disposal to any other person;
- (vii) goods, being *a bona fide* gift, not exceeding E20 in value;
- (viii) goods from the Republic of Botswana, the Kingdom of Lesotho, the Republic of Malawi, the Republic of South Africa or the Republic of Zimbabwe, if such goods were grown, produced or manufactured in the countries mentioned;
- (ix) goods re-imported into Swaziland after repair or processing outside Swaziland provided ownership of such goods remains vested in the original exporter in Swaziland;
- (x) empty containers which have been used for the exportation of goods from Swaziland and are returned free of charge to the original exporter in Swaziland;
- (xi) goods the *bona fide* property of, and imported as accompanied baggage by, a resident of Swaziland returning to Swaziland after a temporary absence outside the Common Customs Area, provided the normal price thereof does not exceed E200;
- (xii) printed advertising material supplied free of charge;
- (xiii) samples of no commercial value received free of charge;
- (xiv) such other goods as the Director of Imports may with the concurrence of the Minister allow.

*Offences and penalties.*

9. Any person who contravenes or fails to comply with these regulations shall be guilty of an offence and liable, on conviction, to a fine of one hundred emalangeni or imprisonment for three months or both.

*Revocation of Legal Notice No. 39 of 1977.*

10. The Imports Control Regulations, 1977 are revoked.