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ጋዜጣ ኣዋጅ ኤርትራ

ብመንግስቲ ኤርትራ ዝሕተም

ቅጺ 12/2003 ቁ·5 ኣስመራ፣ 5 ግንቦት 2003፡ ዋጋ 6.00 ናቕፋ

ሕጋዊ ምልክታ ቁጽሪ 72/2003
ሕጋጋት ቅዩድ መኽዘን
ሕጋዊ ምልክታ ቁጽሪ 73/2003
ሕጋጋት ቀረጽ-ነጻ ድኳናት
ሕጋዊ ምልክታ ቁጽሪ 74/2003
ሕጋጋት ምሕረት እታዋት ኩርየር
ሕጋዊ ምልክታ ቁጽሪ 75/2003
ሕጋጋት መሸጣ ዘይተሓትተሉ፣ እተገደፉን እተታሕዘን
እተወርሰን ኣቑሑ
ሕጋዊ ምክልታ ቁጽሪ 76/2003
ሕጋጋት ምሕረት ንብፑስጣ ዚኣትው ኣቑሑ
ሕጋዊ ምልክታ ቁጽሪ 77/2003
ሕጋጋት ምኽዛን ኣቑሑ ኣብ መደበራት ጉምሩክ

GAZETTE OF ERITREAN LAWS

PUBLISHED BY THE GOVERNMENT OF ERITREA

VOL 12/2003 No. 5 Asmara, May 5,2003 Price 6.00 Nakfa

Legal Notice No 72/2003
Bonded Warehouse Regulations
Legal Notice No 73/2003
Duty Free Shop Regulations
Legal Notice No 74/2003
Courier Imports Remission Regulations
Legal Notice No 75/2003
Sale of Unclaimed, Abandoned and Seized and Forfeited Goods Regulations
Legal Notice No 76/2003
Postal Imports Remission Regulations
Legal Notice No 77/2003
Regulations on the Storage of Goods in Customs Posts

ሕጋዊ ምልክታ ቁጽሪ 77/2003

ሕጋጋት ምኽዛን ኣቕሑ ኣብ መደበራት ጉምሩክ

1. ሓጺር ኣርእስቲ

እዚ ሕጋጋት'ዚ "ሕጋጋት ምኽዛን ኣቕሑ ኣብ መደበራት ጉምሩክ - ሕጋዊ ምልክታ ቁጽሪ 77/2003" ተባሂሉ ኪጥቀስ ይከኣል።

2. ትርጉም

ኣትኣታትውኣም ካልእ ትርጉም ዘውህቦም እንተዘይኪይኑ ኣብ'ዚ ሕጋጋት'ዚ፦

"ናይ ስራሕ መዓልቲ" ማለት ቤት ጽሕፈት ጉምሩክ ክፉት ዝኾነሉን ኣቕሑ ዝቐበለሉን ወይ ዝለቀሉን ዝኾነ መዓልቲ ማለት እዩ።

"ምውራስ" ማለት ብመንግስቲ ኤርትራ ዝግበር ምውራስ ማለት ኢዩ።

"ድሕነቱ እተሓለወሉ ቦታ" ማለት ኣቕሑ ብድሕነት ዚዕቀብሉ ብሚኒስተር ፋይናንስ እተረቖሐ ቦታ ማለት ኢዩ።

"ኣዋጅ" ማለት ኣዋጅ ጉምሩክ ቁጽሪ 112/2000 ማለት ኢዩ።

3. ኣብ ቤት ጽሕፈት ጉምሩክ እተሓደጉ ኣቕሑ ዘልግሱሉ ናይ ግዜ ገደብ

(1) ኣቕሑ ብመሰረት ዓንቀጽ 13 ኣዋጅ ጉምሩክ ቁጽሪ 112/2000 ጸብጻብ ድሕሪ ዝኣተወሎም መዓልቲ፣ ኣብ ውሽጢ 60 መዓልታት ካብ ቤት ጽሕፈት ጉምሩክ ኣብ ዘይውሰዱሉ ኩነታት፣ እቶም ኣቕሑ ኣብ ድሕነቱ እተሓለወ ቦታ ኪዕቀሩ ይኽእሉ።

(2) ተበላሸውቲ ኣቕሑ ብመሰረት ዓንቀጽ 13 ኣዋጅ ጉምሩክ 112/2000 ጸብጻብ ድሕሪ ዝኣተወሎም መዓልቲ ፣ ኣብ ውሽጢ 4 መዓልታት ካብ ቤት ጽሕፈት ጉምሩክ ኣብ ዘይውሰዱሉ ኩነታት፣ እቶም ኣቕሑ ኣብ ድሕነቱ እተሓለወ ቦታ ኪዕቀሩ ይኽእሉ።

(3) ብጉምሩክ ወይ ብዝኾነ ካልእ መንግስታዊ ክፍሊ ብዝጠንቀ ምድንጓያት፣ ኣብ ውሽጢ'ቲ እተወሰነሎም ግዜ ዘይተወሰዱ ኣቕሑ ፣ ናብ ድሕነቱ እተሓለወ ቦታ ኣይውሰዱን ወይ ከም ዘይተሓተተሎም ኣቕሑ ኣይቁጸሩን።

4. ክፍሊት መቕመጢ ኣብ ቤት ጽሕፈት ጉምሩክ ናይ እተሓድጉ ኣቕሑ

(1) ኣብ ግዜያዊ መኽዘን ጉምሩክ እተሓድጉ ኣቕሑ፥ ናብ መኽዘን ጉምሩክ ድሕሪ ዝኣተውሉ መዓልቲ ፣ ድሕሪ ሰለስተ መዓልቲ ስራሕ ብምጅማር ናይ መኽዘኒ ክፍሊት ኪኽፍሉ ይግባእዎም።

(2) ብመሰረት ንኡስ ዓንቀጽ(1) ናይ'ዚ ዓንቀጽ'ዚ ፥ኣብ'ዚ ዝስዕብ ኩነታት ኣቕሑ ኣብ ዝስዕብ ክፍሊት መኽዘን ኣይክፈልን፥-

(ሀ) ብፖስታ ኣብ ዝኣተዉ ኣቕሑ፥ ወይ

(ለ) ብዝስዕብ ምኽንያት ብዋና ወይ ብኣእታዊ ካብ ቤት ጽሕፈት ጉምሩክ ኣቕሑ ኪውሰዱ ምስ ዘይክእሉ፥-

(i) ኣብ ቤት ፍርዲ ብዝሀሉ ክሲ

(ii) ብበዓል መዚ ወይ በዓል መዚ ኣዋጅ ዘሰክሞ ግዴታ ከይፈጸመ ኣብ ዝተርፈሉ

(iii) ብናይ ሳልሳይ ኣካል ጉድለት፥ ወይ

(iv) ብባህርያዊ ድንገት ፥

5. ኣቕሑ ካብ ድሕነቱ እተሓለወ ቦታ ዘልግሱሉ ናይ ግዜ ገደብ

(1) ብዝተቐመጡ ኣብ ውሽጢ 30 መዓልታት ካብ ድሕነቱ እተሓለወ ቦታ ዘይተወሰዱ ኣቕሑ ፥ኣብ ምውዳቕ ናይ'ዚ ውሁብ ግዜ'ዚ ብመንግስቲ ውሩሳት ይኾኑ።

(2) ብዝተቐመጡ ኣብ ውሽጢ 24 ሰዓታት ካብ ድሕነቱ እተሓለወ ቦታ ዘይተወሰዱ ተበላሸውቲ ኣቕሑ ፣ እዚ ውሁብ ግዜ ብዝወደቐ ብመንግስቲ ውሩሳት ይኾኑ።

(3) ብጉምሩክ ወይ ብዝኾነ ካልእ መንግስታዊ ክፍሊ ብዝጠንቁ ምድንጓያት፥ ኣብ ውሽጢ እተወሰነሎም ግዜ ዘየልገሱ ኣቕሑ ፣ ኣይውሰዱን ወይ ከም እተሓድጉ ኣቕሑ ኣይቁጸሩን።

6. ክፍሊት መኽዘን ድሕነቱ እተሓለወ ቦታ፥

(1) ድሕነቱ ኣብ እተሓለወ ቦታ እተቐመጡ ኣቕሑ ፣ ክፍሊት መኽዘኒ ይኽፍሉ።

(2) ኣብ ከምዚ ዚስዕብ ኩነታት ድሕነቱ ኣብ እተሓለወ ቦታ እተቐመጡ ኣቕሑ ክፍሊት መኽዘኒ ኣይክፈልን፥-

(ሀ) እቶም ኣቕሑ ኣብ'ቲ ድሕነቱ እተሓለወ ቦታ ፣ ብጌጋ እንተ ኣተዮም'ሞ ብጌጋ ምኽኒት ድሕሪ ምምልካት፥ ዋና ወይ ኣእታዋይ ኣቕሑ እንተኣልገሲዎም፣ ወይ

(ለ) በዚ ዝስዕብ ምኽንያታት ዋና ወይ ኣእታዊይ ኣቕሑ ነቶም ኣቕሑ ካብ'ቲ ድሕነቱ እተሓለወ ቦታ ከልግሶም ምስ ዘይክእል፦

(i) ኣብ ቤት ፍርዲ ብዝህሉ ክሲ፣

(ii) ብበዓል መዚ ወይ በዓል መዚ ኣዋጅ ዘሰክሞ ግዴታ ከይፈጸመ ኣብ ዝተርፈሉ

(iii) ብናይ ሳልሳይ ኣካል ጉድለት፣ ወይ

(iv) ብባህርያዊ ድንገት

7. ኣብ ግብሪ ዝውዕለሉ

እዚ ሕጋጋት'ዚ ኣብ ጋዜጣ ኣዋጃት ኤርትራ ተሓቲሙ ካብ ዝወጸሉ ዕለት ጀሚሩ ኣብ ግብሪ ይውዕል።

ኣስመራ፣ 5 ግንቦት፣ 2003

ብርሃነ ኣብርሀ

ሚኒስተር ፋይናንስ

Legal Notice No 77/2003

REGULATIONS ON THE STORAGE OF GOODS IN CUSTOMS POSTS

1. Short Title

These Regulations may be cited as the "*Regulations on the Storage of Goods in Customs Posts-Legal Notice No 77./2003.*"

2. Definitions

In these Regulations, unless the context otherwise requires:

"business day" means any day on which the customs office is open and accepts delivery or removal of goods;

"forfeit" means forfeit to the Government of Eritrea;

"place of safekeeping" means a place designated by the Minister of Finance for the safekeeping of goods; and

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

3. Time Limit for Removal of Goods Left at a Customs Office

(1) Where goods in a Customs office have not been removed within 60 days after the day on which the goods were reported under Article 13 of the Proclamation, the goods may be deposited in a place of safekeeping.

(2) Where perishable goods in a customs office have not been removed within 4 days after the day on which they are reported under Article 13 of the Proclamation, the goods may be deposited in a place of safekeeping.

(3) Goods which have not been removed within the prescribed time because of delays caused by customs or any other government agency are not to be removed to a place of safe keeping or considered unclaimed.

4 Storage Charges for Goods Left at a Customs Office

(1) Goods left at a temporary warehouse are subject to storage charges, beginning three business days after the day on which the goods arrived at the temporary warehouse.

(2) No storage charges are payable pursuant to sub-article (1) on:

(a) goods that are imported by mail; or

(b) goods that cannot be removed from the customs office by the owner or importer by reason of:

(i) a court proceeding;

(ii) an unauthorized act of an officer or the omission by an officer to perform a duty imposed on him by the proclamation;

(iii) a mistake of a third party; or

(iv) a natural disaster.

5. Time Limit for Removal of Goods from a Place of Safekeeping

(1) Goods that have not been removed from a place of safekeeping within 30 days after they were deposited are forfeited to the State at the termination of that period of time.

(2) Perishable goods that have not been removed from a place of safekeeping within 24 hours after they were deposited are forfeited to the State at the termination of that period of time.

(3) Goods that have not been removed within the prescribed time because of delays caused by customs or any other government department are not to be removed or considered abandoned.

6. Storage Charges for Place of Safekeeping

(1) The storage charges shall be paid for goods deposited in a place of safekeeping operated in right of Eritrea.

(2) No storage charges are payable on goods deposited in a place of safekeeping operated in right of Eritrea if:

(a) the goods are delivered to the place of safekeeping in error and are removed by the owner or importer after notification of the error; or

(b) the goods cannot be removed from the place of safekeeping by the owner or importer by reason of,

(i) a court proceeding;

(ii) an unauthorized act of an officer or the omission by an officer to perform a duty imposed on him by the Proclamation;

(iii) a mistake of a third party; or

(iv) a natural disaster.

7. **Effective Date**

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

Done at Asmara, this 5th day of May, 2003

Berhane Abrehe
Minister of Finance

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