

Act No. (1) for the year 1992. Regarding the foreign trade.

In the name of the nation. The president of the presidency council After acquaintance on the agreement of the declaration of the Republic of Yemen constitution, And after acceptance of the cabinet and the presidency council. We have issued the text of the following act:

The first chapter *The titling and the definitions*

Article (1): The act has been titled “the act of the foreign trade”.

Article (2): For the purposes of this act, the following pronunciations and expressions and its indicated meanings, shall always being tied together unless that the context of the text refers to another meaning. The Republic: The Republic of Yemen. The Ministry: The Supply & Trade Minister. The Minister: The Supply & Trade Minister. The Goods: All the products and commodities and the materials include the alive animals and any another transferable has a commercial value. The Licenses: The permission, which has provided by the ministry according to the provisions of this act and the rules, which are manage, it. The import: The entering of the goods to the Republic for the trade or use. The temporary entering: The entering of the goods to the Republic for the sake of use them temporary or carry out of any communicable operations then, re-importing them. The export: Exist the goods from the Republic for the trade or using. The temporary export: Existing the goods for the Republic for trade or use them temporary or for the maintenance or carrying out of any other communicable operations then re-exporting them.

The second chapter *The aims of foreign trade*

Article (3): The act aimed to achieve as follows:

A- Supervises on the external trade and develops it, in the way that may help to achieved the aims of the social and economic development plan for the state and leads to increase its potentiality in the service the national economic.

B. Manages and encourages the participation of the national economic sectors in the export and import in way that enable them to maintain the Republic requirements for the supply goods. And the necessities of the production and the growth, which lead the catering stability and increase the production and raise the growth rates and improve the trade balance position.

C.Develops and grows the trade relationship with Arabic and Islamic countries and remaining countries of the world and directed them in which way that contribution in developing the national economic.

The third chapter *The external foreign trade planing.*

Article (4): The ministry is prepares the projects of the foreign trade plan in mid-term (moderate term) and it shall be considered as part of the comprehensive plan for the social and economic developing. According to the particulars, and informations, statistics and data which has obtained for different ministers, other governmental institutions and all the national economic sectors.

Article (5): The annual export and import programs and its, amendments, shall be endorsed by the cabinet.

The fourth chapter *The foreign trade relationship*

Article (6): In the respect of the foreign trade relationships, the ministry undertakes practicing of the following specializations.

A- The supervises on the trade exchanges between the Republic and other countries of the world which lead to develops and grows of the commercial and economical relationships between the Republic and external world B- The participates and preparation with other ministries governmental institutions in enter the agreements and the commercial protocols and payments agreements between the Republic and Arabic countries and other countries of the world and communities and, corporations. And the international territorial and Arabic commercial and economical organizations, include the entering in the agreements which has implicated grants mutual priorities in the field of foreign trade.

C- The follows-up and coordinates with competent sources in order to executes the commercial agreements and the protocols and payment agreements between the Republic and Arabic and Islamic countries and other countries of the world, communities, corporations and international, territorial and Arabic commercial and economical organizations.

D- The estimates of the commercial and agreements results and its benefits on the national economic.

E- The coordinates with foreign affairs ministry in sets-up the commercial supplements and opens-up the commercial centers and supervise them, when that is necessary and that will be in the Arabic countries and other countries of the world and fixing its missions and being fixed by the ministers decision.

F- The participating and supervises on the sets-up and supervises on sets-up the commercial centers and the specialized markets internally and externally, with coordinate with other competent sources.

The Fifth chapter

Article (7): The goods importing shall be subject to the previous license which being granted by the ministry before the goods purchase and shipment and the import being restricted other than sets-up country except in the cases which decides by the ministry.

Article (8):

1. The exception from the import license which has been mentioned in the article (7), includes the following goods:

A- The weapons and armies and the military's equipment which being imported by the government under the title of the defense ministry and ministry of interior and the security.

- B- The samples and the ideals as well as languages and the personal furniture whether sent or accompanied the ordinary citizens from abroad include the students and the Yemen's immigrants has included into the value which has fixed by the execution list.
- C- Free the goods from the custom as well as these goods which has excepted due to the necessity or the economic agreements.
- D- The goods, which have imported being, organized according to the others potential rules.
- E- Any good that cabinet's decisions has been taken regarding them.

2. Without impeachment (violating) act no. (22) dated 1991. The industry ministry responsible in grants the import's and export's licenses to the factories and responsible to the all processors and the events regarding this license.

Article (9): The minister has right to declares any administration decisions, regarding the prohibits importing of the some goods. For the specific period or the fixes of the quantity or the permitted value from being imported or restricts the with some terms or undertakes other measures in order to achieves the following goals:

- A- The balances the balance of payment.
- B- Encourages the investment and the agricultural and industrial production as well as the national vocational production and protects them form the foreign competition, which is unequal, or in legal.
- C- Increases the number of substituted goods in order to maintain the needs of local consumption to the catering goods and the production requirements, and the growth at the minimum cost and in easier way.
- D- Executes of the rules and regulations and the policies which are regard the public security, health and morality as well as apply the rules and regulations which has been fixed by the Minster. And which regards the control the goods importing and the classify them and to being sure about its prices and determine (fix) its import's conditions and seal them in order to maintain the public interest.

Article (10): Its is allowed through cabinet's decision, to stop of the import from the state or the particular state or restricts it with specific terms and that shall be, when the international relationship of the Republic have to do so.

Article (11): The import license discipline (system) shall being issued through the Minster's decisions according to the execution's list, have to implicating the following affairs (matters):

- A- The shape of the license and its contents and number of its copies.
- B- The method of issues of the license and the authorized (entrusted) sources to sign over it.
- C- The term of validity and the principles and terms to expands it and amends it and corrects it.
- D- The fee of services of the license issuance, expands, amends and corrects it.
- E- The rules and regulations of the grants to the import license include the specification of the trader who has the right of import.
- F- The goods that are required in order to be imported, getting the previous acceptance of other particular sources.

Article (12): The import from the free zones, shall be considered as imported form abroad and organized it by the execution's list for this act.

Article (13): Any (food) goods which are imported and unless it in conformity with the rules of authorized specifications according to the (check-up) testimony (certificate) has been issued from the accepted international specification source. And the local check up testimony from the laboratories of quality's control on the foods in the Republic which determine its validity and the human consumption, shall not be freeing.

The sixth chapter *The imports organizing*

Article (14):The Yemeni imports shall be freed from the import license.

Article (15):With reference to the provisions of the article (14) of this act, the Minister has the right to make the temporary import and temporary import subject to the import license or prohibits them or restricts them with some terms and obligations in order to achieves the following aims:

- A- Fixes the imported quantities in order to avoid the lacking in the catering goods and the production's entries.
- B- Classify the Yemen import and controls its quality in order to maintains its reputation, externally.
- C- Organizes the import in order to benefits from the available import's opportunities at the most level.
- D- Executes the rules and regulations and policies, which are regarding the public, security, health and the morality.

Article (16): It is allowed through cabinet decision, stop the import or the temporary import to the state or the particular state or to restricts them with specific terms when the national interest have to.

Article (17):

- A. the ministry has to studies the conditions of the local and external markets for the sake of develop the imports. And opens the new market for them, as well as undertakes that measures which are encourages the import and which facilitating its process and free the imports from the fees and taxes according to the effective acts.
- B- The undertakes of additional measures which are encourage the import, shall be determined by the Minister's decision.

Article (18): The terms and conditions, which are regarded the temporary's import and the temporary's entering, without the touch to the effective rules and regulations.

The seventh chapter *The obligations, restrictions and penalties*

Article (19): The import license's applicant should submit their application to the competent administration in the ministry or it's branches or authorized offices in governors, in order to gets the previous import's license before the purchase goods or shipping them. Which are question of the license and the ministry has the responsibility to give the final decision concerns the applications of import within two weeks starts from the date of submitting the application and in the event of rejection, it must be justifiable.

Article (20):The obtainers of the import license has to execute that terms which have specified in their licenses and they have to attach themselves with enforced

obligations which were provided by the effective act, rules, and regulations. The obtainer of the import's license is restricted with as follows:

A- Seals or surrenders the license to other.

B- Seals the imported good, which are the question of license outside of the Republic, or surrenders its importing or cancels its order before the collect the previous permission from the ministry. And when the good is legally allowed to be imported form the country of import or in the case that the value of the good has been exchanged to the foreign currency.

C- Transfer the imported goods from the country, which has specified in the import license to the country, which has restricted to import.

D- Import the goods form the countries, which are, has restricted to deal with.

E- Amend or expand or correct any particulars on the import's licenses after issue them unless to be form the license's issuance's resource.

Article (22) : It is allowed to the Minster to stops granting the import's license to any importer or any source which is break the provision of this act and the rules and regulations which are as issued according to it for the period (duration) not more than a year and not less than three months.

Article (23) : The acts breaker subjects to the following:

A- Each one who violets the provision of the article (19, 20) of the this act shall be punished and that shall be through return back the goods or forfeit which its maximum end (20%) twenty percent of the goods value or the goods where of violating is. And the decision shall be declared from the cabinet according to the order of the Minster which determines the sort of the violates or the payable forfeit on it.

B- In addition to the said penalties in the article (22) each one who is violates the provision of the article (21) of the act, shall be paid a forfeit not exceeding to (40%) forty percent of the good's value. .

C- The penalties which has referred in paragraphs (A, B) of this article shall multiplied in the case of repeats of the violating.

Article (24): In the case of the refusal of the act's breaker of pays the forfeit which has incurred on him, the identification's source in the ministry, shall undertake legal measures and pass it to competent court.

The eighth chapter Final and general provisions

Article (25): The ministry shall be the competent area regards all the foreign trade and with reference to the provisions which said in the investment act.

Article (26): It is possible that Minster can entrusts any other official location to practice some of competencies of the ministry in order execute some of the deals which are regarding the import license or control the impeachment to the rules and regulations of the imports and export.

Article (27): The branches and offices of the ministry shall be entrusted in providing the import and export's license and this shall be managed by the Minster's decisions.

Article (28): The execution's list shall be issued through the Republic decree and that shall be after the agreement of the cabinet and according to the Minster's order.

Article (29): The law (21) dated (97) and its amendment which has issued in Aden dated 10/ the 1st Rabei 1391 H which correspond to 5 May 1971, has been cancelled. And decision in act (23) dated 1975, has been cancelled which has issued in Sana'a dated 13, Shaban 1395 H correspond to 20 Aug. 1975 and any text or judgment which in contradictory with the provision of this act, shall be cancelled.

Article (30): The act shall be worked by since the date of its issuance and shall be published in the official newspaper.

It has been issued in the republic's presidency Sana'a dated 24/ Shabban 1412 H correspond 27 Feb. 1992

Ali Abdullah Saleh
The Presidency Council's President